

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/Senate Bill No. 304, Page 1, Section A, Line 5,

2 by inserting after all of said line the following:

3 "160.011. As used in chapters 160, 161, 162, 163, 164,
4 165, 167, 168, 170, 171, 177 and 178, the following terms
5 mean:

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

9 (2) "Elementary school", a public school giving
10 instruction in a grade or grades not higher than the eighth
11 grade;

12 (3) "Family literacy programs", services of sufficient
13 intensity in terms of hours, and of sufficient duration, to
14 make sustainable changes in families that include:

15 (a) Interactive literacy activities between parents
16 and their children;

17 (b) Training of parents regarding how to be the
18 primary teacher of their children and full partners in the
19 education of their children;

20 (c) Parent literacy training that leads to high school
21 completion and economic self sufficiency; and

22 (d) An age-appropriate education to prepare children
23 of all ages for success in school;

24 (4) "Graduation rate", the quotient of the number of
25 graduates in the current year as of June thirtieth divided
26 by the sum of the number of graduates in the current year as

27 of June thirtieth plus the number of twelfth graders who
28 dropped out in the current year plus the number of eleventh
29 graders who dropped out in the preceding year plus the
30 number of tenth graders who dropped out in the second
31 preceding year plus the number of ninth graders who dropped
32 out in the third preceding year;

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

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

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

41 (8) "School board", the board of education having
42 general control of the property and affairs of any school
43 district;

44 (9) "School term", a minimum of one hundred seventy-
45 four school days, as that term is defined in section
46 160.041, for schools with a five-day school week or a
47 minimum of one hundred forty-two school days, as that term
48 is defined in section 160.041, for schools with a four-day
49 school week, and one thousand forty-four hours of actual
50 pupil attendance as scheduled by the board pursuant to
51 section 171.031 during a twelve-month period in which the
52 academic instruction of pupils is actually and regularly
53 carried on for a group of students in the public schools of
54 any school district. In any school district located wholly
55 or partially in a county with a charter form of government
56 or a city with at least thirty thousand inhabitants, the
57 minimum school term shall be one hundred seventy-four school
58 days and one thousand forty-four hours of actual pupil
59 attendance, unless such school district adopts a four-day

60 school week pursuant to the provisions of section 171.028.
61 In school year 2019-20 and subsequent years, for schools
62 with a four-day school week, one thousand forty-four hours
63 of actual pupil attendance shall be required with no minimum
64 number of school days required. A school term may be within
65 a school year or may consist of parts of two consecutive
66 school years, but does not include summer school. A
67 district may choose to operate two or more terms for
68 different groups of children. A school term for students
69 participating in a school flex program as established in
70 section 160.539 may consist of a combination of actual pupil
71 attendance and attendance at college or technical career
72 education or approved employment aligned with the student's
73 career academic plan for a total of the required number of
74 hours as provided in this subdivision;

75 (10) "Secretary", the secretary of the board of a
76 school district;

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

81 (12) "Taxpayer", any individual who has paid taxes to
82 the state or any subdivision thereof within the immediately
83 preceding twelve-month period or the spouse of such
84 individual;

85 (13) "Town", any town or village, whether or not
86 incorporated, the plat of which has been filed in the office
87 of the recorder of deeds of the county in which it is
88 situated;

89 (14) "Urban school district", any district which
90 includes more than half of the population or land area of
91 any city which has not less than seventy thousand
92 inhabitants, other than a city which is not within a county.

93 160.041. 1. The "minimum school day" consists of
94 three hours for schools with a five-day school week or four
95 hours for schools with a four-day school week in which the
96 pupils are under the guidance and direction of teachers in
97 the teaching process. A "school month" consists of four
98 weeks of five days each for schools with a five-day school
99 week or four weeks of four days each for schools with a four-
100 day school week. In school year 2019-20 and subsequent
101 years, for schools with a four-day school week, no minimum
102 number of school days shall be required, and "school day"
103 shall mean any day in which, for any amount of time, pupils
104 are under the guidance and direction of teachers in the
105 teaching process. The "school year" commences on the first
106 day of July and ends on the thirtieth day of June following.

107 2. Notwithstanding the provisions of subsection 1 of
108 this section, the commissioner of education is authorized to
109 reduce the required number of hours or days in which the
110 pupils are under the guidance and direction of teachers in
111 the teaching process if:

112 (1) There is damage to or destruction of a public
113 school facility which requires the dual utilization of
114 another school facility; or

115 (2) Flooding or other inclement weather as defined in
116 subsection 1 of section 171.033 prevents students from
117 attending the public school facility.

118 Such reduction shall not extend beyond two calendar years in
119 duration."; and

120 Further amend said bill, page 25, section 161.092, line
121 123, by inserting after all of said line the following:

122 "163.021. 1. A school district shall receive state
123 aid for its education program only if it:

124 (1) Provides for a minimum of one hundred seventy-four
125 days and one thousand forty-four hours of actual pupil

126 attendance in a term scheduled by the board pursuant to
127 section 160.041 for each pupil or group of pupils, except
128 that the board shall provide a minimum of one hundred
129 seventy-four days and five hundred twenty-two hours of
130 actual pupil attendance in a term for kindergarten pupils.
131 If any school is dismissed because of inclement weather
132 after school has been in session for three hours, that day
133 shall count as a school day including afternoon session
134 kindergarten students. When the aggregate hours lost in a
135 term due to inclement weather decreases the total hours of
136 the school term below the required minimum number of hours
137 by more than twelve hours for all-day students or six hours
138 for one-half-day kindergarten students, all such hours below
139 the minimum must be made up in one-half day or full day
140 additions to the term, except as provided in section
141 171.033. In school year 2019-20 and subsequent years, for
142 schools with a four-day school week, one thousand forty-four
143 hours of actual pupil attendance with no minimum number of
144 school days shall be required for each pupil or group of
145 pupils; except that, the board shall provide a minimum of
146 five hundred twenty-two hours of actual pupil attendance in
147 a term for kindergarten pupils with no minimum number of
148 school days;

149 (2) Maintains adequate and accurate records of
150 attendance, personnel and finances, as required by the state
151 board of education, which shall include the preparation of a
152 financial statement which shall be submitted to the state
153 board of education the same as required by the provisions of
154 section 165.111 for districts;

155 (3) Levies an operating levy for school purposes of
156 not less than one dollar and twenty-five cents after all
157 adjustments and reductions on each one hundred dollars
158 assessed valuation of the district; and

159 (4) Computes average daily attendance as defined in
160 subdivision (2) of section 163.011 as modified by section
161 171.031. Whenever there has existed within the district an
162 infectious disease, contagion, epidemic, plague or similar
163 condition whereby the school attendance is substantially
164 reduced for an extended period in any school year, the
165 apportionment of school funds and all other distribution of
166 school moneys shall be made on the basis of the school year
167 next preceding the year in which such condition existed.

168 2. For the 2006-07 school year and thereafter, no
169 school district shall receive more state aid, as calculated
170 under subsections 1 and 2 of section 163.031, for its
171 education program, exclusive of categorical add-ons, than it
172 received per weighted average daily attendance for the
173 school year 2005-06 from the foundation formula, line 14,
174 gifted, remedial reading, exceptional pupil aid, fair share,
175 and free textbook payment amounts, unless it has an
176 operating levy for school purposes, as determined pursuant
177 to section 163.011, of not less than two dollars and seventy-
178 five cents after all adjustments and reductions. Any
179 district which is required, pursuant to Article X, Section
180 22 of the Missouri Constitution, to reduce its operating
181 levy below the minimum tax rate otherwise required under
182 this subsection shall not be construed to be in violation of
183 this subsection for making such tax rate reduction.
184 Pursuant to Section 10(c) of Article X of the state
185 constitution, a school district may levy the operating levy
186 for school purposes required by this subsection less all
187 adjustments required pursuant to Article X, Section 22 of
188 the Missouri Constitution if such rate does not exceed the
189 highest tax rate in effect subsequent to the 1980 tax year.
190 Nothing in this section shall be construed to mean that a
191 school district is guaranteed to receive an amount not less

192 than the amount the school district received per eligible
193 pupil for the school year 1990-91. The provisions of this
194 subsection shall not apply to any school district located in
195 a county of the second classification which has a nuclear
196 power plant located in such district or to any school
197 district located in a county of the third classification
198 which has an electric power generation unit with a rated
199 generating capacity of more than one hundred fifty megawatts
200 which is owned or operated or both by a rural electric
201 cooperative except that such school districts may levy for
202 current school purposes and capital projects an operating
203 levy not to exceed two dollars and seventy-five cents less
204 all adjustments required pursuant to Article X, Section 22
205 of the Missouri Constitution.

206 3. No school district shall receive more state aid, as
207 calculated in section 163.031, for its education program,
208 exclusive of categorical add-ons, than it received per
209 eligible pupil for the school year 1993-94, if the state
210 board of education determines that the district was not in
211 compliance in the preceding school year with the
212 requirements of section 163.172, until such time as the
213 board determines that the district is again in compliance
214 with the requirements of section 163.172.

215 4. No school district shall receive state aid,
216 pursuant to section 163.031, if such district was not in
217 compliance, during the preceding school year, with the
218 requirement, established pursuant to section 160.530 to
219 allocate revenue to the professional development committee
220 of the district.

221 5. No school district shall receive more state aid, as
222 calculated in subsections 1 and 2 of section 163.031, for
223 its education program, exclusive of categorical add-ons,
224 than it received per weighted average daily attendance for

225 the school year 2005-06 from the foundation formula, line
226 14, gifted, remedial reading, exceptional pupil aid, fair
227 share, and free textbook payment amounts, if the district
228 did not comply in the preceding school year with the
229 requirements of subsection 5 of section 163.031.

230 6. Any school district that levies an operating levy
231 for school purposes that is less than the performance levy,
232 as such term is defined in section 163.011, shall provide
233 written notice to the department of elementary and secondary
234 education asserting that the district is providing an
235 adequate education to the students of such district. If a
236 school district asserts that it is not providing an adequate
237 education to its students, such inadequacy shall be deemed
238 to be a result of insufficient local effort. The provisions
239 of this subsection shall not apply to any special district
240 established under sections 162.815 to 162.940."; and

241 Further amend said bill, page 27, section 163.201, line
242 68, by inserting after all of said line the following:

243 "171.028. 1. The school board of a school district
244 that is located wholly or partially in a county with a
245 charter form of government or a city with more than thirty
246 thousand inhabitants may establish a four-day school week in
247 lieu of a five-day school week for period of ten years and
248 only as permitted pursuant to the provisions of this section.

249 2. (1) A school board may adopt the provisions of
250 subsection 1 of this section by referring to the qualified
251 voters of the school district a ballot measure authorizing
252 the same. Such proposal shall be referred to the qualified
253 voters of the school district upon a majority vote of the
254 members elected to the school board. Upon such adoption by
255 the school board, the measure shall be submitted to the
256 qualified voters at the next date available for public
257 elections pursuant to chapter 115 and by July first of the

258 school year in which the four-day school week is proposed to
 259 commence. If a majority of the votes cast on the question
 260 by the qualified voters voting thereon are in favor of the
 261 measure, then the provisions of subsection 1 of this section
 262 shall become effective. If a majority of the votes cast on
 263 the question by the qualified voters voting thereon are
 264 opposed to the measure, then the board shall not adopt the
 265 provisions of subsection 1 of this section unless and until
 266 the measure is resubmitted pursuant to this subsection to
 267 the qualified voters and such question is approved by a
 268 majority of the qualified voters voting on the measure.

269 (2) The question submitted by the school board
 270 pursuant to this subsection shall be in substantially the
 271 following form:

272 "Shall the school board of adopt the
 273 provisions of Section 171.028, RSMo, establishing
 274 a four-day school week for the next ten years in
 275 the district of ...?"

276 YES NO

277 (3) A school district described in subsection 1 of
 278 this section may adopt a four-day school week for the 2023-
 279 24 school year only if such school district adopted such
 280 school week prior to August 28, 2023.

281 (4) A school district described in subsection 1 of
 282 this section may adopt a four-day school week for the 2024-
 283 25 school year only if such district adopted a four-day
 284 school week for the 2023-24 school year and satisfies all
 285 the requirements of this subsection for the 2024-25 school
 286 year by July 1, 2024.

287 3. Upon adoption of a four-day school week, any school
 288 district that adopts a four-day school week shall file a
 289 calendar with the department of elementary and secondary

290 education in accordance with the provisions of section
291 171.031.

292 171.031. 1. Each school board shall prepare annually
293 a calendar for the school term, specifying the opening date,
294 days of planned attendance, and providing a minimum term of
295 at least one hundred seventy-four days for schools with a
296 five-day school week or one hundred forty-two days for
297 schools with a four-day school week, and one thousand forty-
298 four hours of actual pupil attendance. In school year 2019-
299 20 and subsequent years, for schools with a four-day school
300 week, one thousand forty-four hours of actual pupil
301 attendance shall be required for the school term with no
302 minimum number of school days. In addition, such calendar
303 shall include six make-up days for possible loss of
304 attendance due to inclement weather as defined in subsection
305 1 of section 171.033. In school year 2019-20 and subsequent
306 years, such calendar shall include thirty-six make-up hours
307 for possible loss of attendance due to inclement weather, as
308 defined in subsection 1 of section 171.033, with no minimum
309 number of make-up days.

310 2. Each local school district may set its opening date
311 each year, which date shall be no earlier than fourteen
312 calendar days prior to the first Monday in September. No
313 public school district shall select an earlier start date
314 unless, for calendars for school years before school year
315 2020-21, the district follows the procedure set forth in
316 subsection 3 of this section. The procedure set forth in
317 subsection 3 of this section shall be unavailable to school
318 districts in preparing their calendars for school year 2020-
319 21 and for subsequent years.

320 3. For calendars for school years before school year
321 2020-21, a district may set an opening date that is more
322 than fourteen calendar days prior to the first Monday in

323 September only if the local school board first gives public
324 notice of a public meeting to discuss the proposal of
325 opening school on a date more than fourteen days prior to
326 the first Monday in September, and the local school board
327 holds said meeting and, at the same public meeting, a
328 majority of the board votes to allow an earlier opening
329 date. If all of the previous conditions are met, the
330 district may set its opening date more than fourteen
331 calendar days prior to the first Monday in September. The
332 condition provided in this subsection must be satisfied by
333 the local school board each year that the board proposes an
334 opening date more than fourteen days before the first Monday
335 in September.

336 4. If any local district violates the provisions of
337 this section, the department of elementary and secondary
338 education shall withhold an amount equal to one quarter of
339 the state funding the district generated under section
340 163.031 for each date the district was in violation of this
341 section.

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

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

351 171.033. 1. "Inclement weather", for purposes of this
352 section, shall be defined as ice, snow, extreme cold,
353 excessive heat, flooding, or a tornado.

354 2. (1) A district shall be required to make up the
355 first six days of school lost or cancelled due to inclement

356 weather and half the number of days lost or cancelled in
357 excess of six days if the makeup of the days is necessary to
358 ensure that the district's students will attend a minimum
359 [of one hundred forty-two days and a minimum of one thousand
360 forty-four hours for the school year] school term, as the
361 term "school term" is defined in section 160.011, except as
362 otherwise provided in this section. Schools with a four-day
363 school week may schedule such make-up days on Fridays.

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

373 3. (1) In the 2009-10 school year and subsequent
374 years, a school district may be exempt from the requirement
375 to make up days of school lost or cancelled due to inclement
376 weather in the school district when the school district has
377 made up the six days required under subsection 2 of this
378 section and half the number of additional lost or cancelled
379 days up to eight days, resulting in no more than ten total
380 make-up days required by this section.

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

389 4. The commissioner of education may provide, for any
390 school district that cannot meet the minimum school calendar
391 requirement of at least one hundred seventy-four days for
392 schools with a five-day school week or one hundred forty-two
393 days for schools with a four-day school week and one
394 thousand forty-four hours of actual pupil attendance or, for
395 schools with a four-day school week, in school year 2019-20
396 and subsequent years, one thousand forty-four hours of
397 actual pupil attendance, upon request, a waiver to be
398 excused from such requirement. This waiver shall be
399 requested from the commissioner of education and may be
400 granted if the school was closed due to circumstances beyond
401 school district control, including inclement weather or fire.

402 5. (1) Except as otherwise provided in this
403 subsection, in school year 2020-21 and subsequent years, a
404 district shall not be required to make up any hours of
405 school lost or cancelled due to exceptional or emergency
406 circumstances during a school year if the district has an
407 alternative methods of instruction plan approved by the
408 department of elementary and secondary education for such
409 school year. Exceptional or emergency circumstances shall
410 include, but not be limited to, inclement weather, a utility
411 outage, or an outbreak of a contagious disease. The
412 department of elementary and secondary education shall not
413 approve any such plan unless the district demonstrates that
414 the plan will not negatively impact teaching and learning in
415 the district.

416 (2) If school is closed due to exceptional or
417 emergency circumstances and the district has an approved
418 alternative methods of instruction plan, the district shall
419 notify students and parents on each day of the closure
420 whether the alternative methods of instruction plan is to be
421 implemented for that day. If the plan is to be implemented

422 on any day of the closure, the district shall ensure that
423 each student receives assignments for that day in hard copy
424 form or receives instruction through virtual learning or
425 another method of instruction.

426 (3) A district with an approved alternative methods of
427 instruction plan shall not use alternative methods of
428 instruction as provided for in the plan for more than thirty-
429 six hours during a school year. A district that has used
430 such alternative methods of instruction for thirty-six hours
431 during a school year shall be required, notwithstanding
432 subsections 2 and 3 of this section, to make up any
433 subsequent hours of school lost or cancelled due to
434 exceptional or emergency circumstances during such school
435 year.

436 (4) The department of elementary and secondary
437 education shall give districts with approved alternative
438 methods of instruction plans credit for the hours in which
439 they use alternative methods of instruction by considering
440 such hours as hours in which school was actually in session.

441 (5) Any district wishing to use alternative methods of
442 instruction under this subsection shall submit an
443 application to the department of elementary and secondary
444 education. The application shall describe:

445 (a) The manner in which the district intends to
446 strengthen and reinforce instructional content while
447 supporting student learning outside the classroom
448 environment;

449 (b) The process the district intends to use to
450 communicate to students and parents the decision to
451 implement alternative methods of instruction on any day of a
452 closure;

453 (c) The manner in which the district intends to
454 communicate the purpose and expectations for a day in which

455 alternative methods of instruction will be implemented to
456 students and parents;

457 (d) The assignments and materials to be used within
458 the district for days in which alternative methods of
459 instruction will be implemented to effectively facilitate
460 teaching and support learning for the benefit of the
461 students;

462 (e) The manner in which student attendance will be
463 determined for a day in which alternative methods of
464 instruction will be implemented. The method chosen shall be
465 linked to completion of lessons and activities;

466 (f) The instructional methods, which shall include
467 instruction through electronic means and instruction through
468 other means for students who have no access to internet
469 services or a computer;

470 (g) Instructional plans for students with
471 individualized education programs; and

472 (h) The role and responsibility of certified personnel
473 to be available to communicate with students.

474 6. In the 2022-23 school year and subsequent years, a
475 school district's one-half-day education programs shall be
476 subject to the following provisions in proportions
477 appropriate for a one-half-day education program, as
478 applicable:

479 (1) Requirements in subsection 2 of this section to
480 make up days or hours of school lost or cancelled because of
481 inclement weather;

482 (2) Exemptions in subsection 3 of this section;

483 (3) Waiver provisions in subsection 4 of this section;
484 and

485 (4) Approved alternative methods of instruction
486 provisions in subsection 5 of this section."; and

487 Further amend the title and enacting clause accordingly.