SENATE AMENDMENT NO.

Offered by	 Of	
	-	

Amend SS/SCS/Senate Bill Nos. 411 & 230, Page 20, Section 162.1250, Line 103,

by inserting after all of said line the following: 2 "163.021. 1. A school district shall receive state 3 4 aid for its education program only if it: (1) Provides for a minimum of one hundred seventy-four 5 days and one thousand forty-four hours of actual pupil 6 7 attendance in a term scheduled by the board pursuant to 8 section 160.041 for each pupil or group of pupils, except 9 that the board shall provide a minimum of one hundred seventy-four days and five hundred twenty-two hours of 10 actual pupil attendance in a term for kindergarten pupils. 11 If any school is dismissed because of inclement weather 12 after school has been in session for three hours, that day 13 shall count as a school day including afternoon session 14 15 kindergarten students. When the aggregate hours lost in a 16 term due to inclement weather decreases the total hours of the school term below the required minimum number of hours 17 by more than twelve hours for all-day students or six hours 18 for one-half-day kindergarten students, all such hours below 19 20 the minimum must be made up in one-half day or full day 21 additions to the term, except as provided in section 22 171.033. In school year 2019-20 and subsequent years, for 23 schools with a four-day school week, one thousand forty-four 24 hours of actual pupil attendance with no minimum number of 25 school days shall be required for each pupil or group of 26 pupils; except that, the board shall provide a minimum of

- five hundred twenty-two hours of actual pupil attendance in a term for kindergarten pupils with no minimum number of school days;
- 30 (2) Maintains adequate and accurate records of 31 attendance, personnel and finances, as required by the state 32 board of education, which shall include the preparation of a 33 financial statement which shall be submitted to the state 34 board of education the same as required by the provisions of 35 section 165.111 for districts;
- 36 (3) Levies an operating levy for school purposes of 37 not less than one dollar and twenty-five cents after all 38 adjustments and reductions on each one hundred dollars 39 assessed valuation of the district; and
- (4) Computes average daily attendance as defined in 40 subdivision (2) of section 163.011 as modified by section 41 Whenever there has existed within the district an 42 171.031. infectious disease, contagion, epidemic, plague or similar 43 condition whereby the school attendance is substantially 44 45 reduced for an extended period in any school year, the apportionment of school funds and all other distribution of 46 school moneys shall be made on the basis of the school year 47 next preceding the year in which such condition existed. 48
- 49 For the 2006-07 school year and thereafter, no 50 school district shall receive more state aid, as calculated under subsections 1 and 2 of section 163.031, for its 51 education program, exclusive of categorical add-ons, than it 52 53 received per weighted average daily attendance for the school year 2005-06 from the foundation formula, line 14, 54 gifted, remedial reading, exceptional pupil aid, fair share, 55 and free textbook payment amounts, unless it has an 56 operating levy for school purposes, as determined pursuant 57 to section 163.011, of not less than two dollars and seventy-58 59 five cents after all adjustments and reductions. Any

- 60 district which is required, pursuant to Article X, Section 61 22 of the Missouri Constitution, to reduce its operating 62 levy below the minimum tax rate otherwise required under this subsection shall not be construed to be in violation of 63 this subsection for making such tax rate reduction. 64 Pursuant to Section 10(c) of Article X of the state 65 66 constitution, a school district may levy the operating levy 67 for school purposes required by this subsection less all adjustments required pursuant to Article X, Section 22 of 68 69 the Missouri Constitution if such rate does not exceed the highest tax rate in effect subsequent to the 1980 tax year. 70 Nothing in this section shall be construed to mean that a 71 school district is quaranteed to receive an amount not less 72 than the amount the school district received per eligible 73 74 pupil for the school year 1990-91. The provisions of this 75 subsection shall not apply to any school district located in 76 a county of the second classification which has a nuclear power plant located in such district or to any school 77 78 district located in a county of the third classification which has an electric power generation unit with a rated 79 generating capacity of more than one hundred fifty megawatts 80 which is owned or operated or both by a rural electric 81 cooperative except that such school districts may levy for 82 83 current school purposes and capital projects an operating 84 levy not to exceed two dollars and seventy-five cents less 85 all adjustments required pursuant to Article X, Section 22 of the Missouri Constitution. 86 87
 - 3. No school district shall receive more state aid, as calculated in section 163.031, for its education program, exclusive of categorical add-ons, than it received per eligible pupil for the school year 1993-94, if the state board of education determines that the district was not in compliance in the preceding school year with the

88

89

90

91

- 93 requirements of section 163.172, until such time as the 94 board determines that the district is again in compliance 95 with the requirements of section 163.172.
- 96 4. No school district shall receive state aid,
 97 pursuant to section 163.031, if such district was not in
 98 compliance, during the preceding school year, with the
 99 requirement, established pursuant to section 160.530 to
 100 allocate revenue to the professional development committee
 101 of the district.
- 102 5. No school district shall receive more state aid, as 103 calculated in subsections 1 and 2 of section 163.031, for 104 its education program, exclusive of categorical add-ons, 105 than it received per weighted average daily attendance for 106 the school year 2005-06 from the foundation formula, line 107 14, gifted, remedial reading, exceptional pupil aid, fair 108 share, and free textbook payment amounts, if the district 109 did not comply in the preceding school year with the requirements of subsection 5 of section 163.031. 110
- Any school district that levies an operating levy 111 for school purposes that is less than the performance levy, 112 as such term is defined in section 163.011, shall provide 113 written notice to the department of elementary and secondary 114 education asserting that the district is providing an 115 116 adequate education to the students of such district. If a 117 school district asserts that it is not providing an adequate education to its students, such inadequacy shall be deemed 118 to be a result of insufficient local effort. The provisions 119 of this subsection shall not apply to any special district 120 established under sections 162.815 to 162.940."; and 121 122 Further amend said bill, page 30, Section 167.790, line

72, by inserting after all of said line the following:

- "171.033. 1. "Inclement weather", for purposes of this section, shall be defined as ice, snow, extreme cold, excessive heat, flooding, or a tornado.
- 127 2. (1) A district shall be required to make up the 128 first six days of school lost or cancelled due to inclement 129 weather and half the number of days lost or cancelled in 130 excess of six days if the makeup of the days is necessary to 131 ensure that the district's students will attend a minimum 132 [of one hundred forty-two days and a minimum of one thousand forty-four hours for the school year] school term, as the 133 134 term "school term" is defined in section 160.011, except as 135 otherwise provided in this section. Schools with a four-day

school week may schedule such make-up days on Fridays.

136

146

147

148

149

150

151

152

153

154

155

- 137 (2) Notwithstanding subdivision (1) of this 138 subsection, in school year 2019-20 and subsequent years, a 139 district shall be required to make up the first thirty-six 140 hours of school lost or cancelled due to inclement weather and half the number of hours lost or cancelled in excess of 141 142 thirty-six if the makeup of the hours is necessary to ensure that the district's students attend a minimum of one 143 thousand forty-four hours for the school year, except as 144 145 otherwise provided under subsections 3 and 4 of this section.
 - 3. (1) In the 2009-10 school year and subsequent years, a school district may be exempt from the requirement to make up days of school lost or cancelled due to inclement weather in the school district when the school district has made up the six days required under subsection 2 of this section and half the number of additional lost or cancelled days up to eight days, resulting in no more than ten total make-up days required by this section.
 - (2) In school year 2019-20 and subsequent years, a school district may be exempt from the requirement to make up school lost or cancelled due to inclement weather in the

- school district when the school district has made up the
 thirty-six hours required under subsection 2 of this section
 and half the number of additional lost or cancelled hours up
 to forty-eight, resulting in no more than sixty total makeup hours required by this section.
- 162 The commissioner of education may provide, for any school district that cannot meet the minimum school calendar 163 164 requirement of at least one hundred seventy-four days for 165 schools with a five-day school week or one hundred forty-two 166 days for schools with a four-day school week and one 167 thousand forty-four hours of actual pupil attendance or, for schools with a four-day school week, in school year 2019-20 168 and subsequent years, one thousand forty-four hours of 169 170 actual pupil attendance, upon request, a waiver to be excused from such requirement. This waiver shall be 171 172 requested from the commissioner of education and may be 173 granted if the school was closed due to circumstances beyond school district control, including inclement weather or fire. 174
- 175 (1) Except as otherwise provided in this subsection, in school year 2020-21 and subsequent years, a 176 177 district shall not be required to make up any hours of 178 school lost or cancelled due to exceptional or emergency 179 circumstances during a school year if the district has an 180 alternative methods of instruction plan approved by the 181 department of elementary and secondary education for such 182 school year. Exceptional or emergency circumstances shall include, but not be limited to, inclement weather, a utility 183 outage, or an outbreak of a contagious disease. The 184 department of elementary and secondary education shall not 185 186 approve any such plan unless the district demonstrates that 187 the plan will not negatively impact teaching and learning in the district. 188

(2) If school is closed due to exceptional or emergency circumstances and the district has an approved alternative methods of instruction plan, the district shall notify students and parents on each day of the closure whether the alternative methods of instruction plan is to be implemented for that day. If the plan is to be implemented on any day of the closure, the district shall ensure that each student receives assignments for that day in hard copy form or receives instruction through virtual learning or another method of instruction.

189

190

191

192

193

194

195

196

197

198

209

210

211212

- 199 (3) A district with an approved alternative methods of 200 instruction plan shall not use alternative methods of 201 instruction as provided for in the plan for more than thirty-202 six hours during a school year. A district that has used 203 such alternative methods of instruction for thirty-six hours 204 during a school year shall be required, notwithstanding 205 subsections 2 and 3 of this section, to make up any subsequent hours of school lost or cancelled due to 206 207 exceptional or emergency circumstances during such school year. 208
 - (4) The department of elementary and secondary education shall give districts with approved alternative methods of instruction plans credit for the hours in which they use alternative methods of instruction by considering such hours as hours in which school was actually in session.
- 214 (5) Any district wishing to use alternative methods of 215 instruction under this subsection shall submit an 216 application to the department of elementary and secondary 217 education. The application shall describe:
- 218 (a) The manner in which the district intends to
 219 strengthen and reinforce instructional content while
 220 supporting student learning outside the classroom
 221 environment;

- (b) The process the district intends to use to
- 223 communicate to students and parents the decision to
- 224 implement alternative methods of instruction on any day of a
- 225 closure;
- (c) The manner in which the district intends to
- 227 communicate the purpose and expectations for a day in which
- 228 alternative methods of instruction will be implemented to
- 229 students and parents;
- 230 (d) The assignments and materials to be used within
- 231 the district for days in which alternative methods of
- instruction will be implemented to effectively facilitate
- 233 teaching and support learning for the benefit of the
- 234 students;
- 235 (e) The manner in which student attendance will be
- 236 determined for a day in which alternative methods of
- instruction will be implemented. The method chosen shall be
- 238 linked to completion of lessons and activities;
- 239 (f) The instructional methods, which shall include
- 240 instruction through electronic means and instruction through
- 241 other means for students who have no access to internet
- 242 services or a computer;
- 243 (q) Instructional plans for students with
- 244 individualized education programs; and
- 245 (h) The role and responsibility of certified personnel
- 246 to be available to communicate with students.
- 247 6. In the 2022-23 school year and subsequent years, a
- 248 school district's one-half-day education programs shall be
- 249 subject to the following provisions in proportions
- 250 appropriate for a one-half-day education program, as
- 251 applicable:
- 252 (1) Requirements in subsection 2 of this section to
- 253 make up days or hours of school lost or cancelled because of
- 254 inclement weather;

255	(2)	Exemptions in subsection 3 of this section;
256	(3)	Waiver provisions in subsection 4 of this section;
257	and	
258	(4)	Approved alternative methods of instruction
259	provisi	ons in subsection 5 of this section."; and
260	Fu	rther amend the title and enacting clause accordingly.