

FIRST REGULAR SESSION

SENATE COMMITTEE SUBSTITUTE FOR

# SENATE BILL NO. 81

102ND GENERAL ASSEMBLY

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1124S.04C

KRISTINA MARTIN, Secretary

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## AN ACT

To amend chapter 163, RSMo, by adding thereto one new section relating to parental choice in educational opportunities.

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*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 163.420, to read as  
3 follows:

163.420. 1. Notwithstanding any provision of law to  
2 the contrary, beginning with the 2023-2024 school year, each  
3 parent or guardian of a child between the ages of seven  
4 years and the compulsory attendance age for the district, as  
5 defined in section 167.031, in which the parent or guardian  
6 resides, shall be afforded the opportunity at the time of  
7 enrollment to direct that state aid under this chapter that  
8 would be used to educate the student at a school within the  
9 district of residence shall be remitted to a qualified  
10 school of the parent or guardian's choice, if the parent or  
11 guardian chooses a school outside of the district of  
12 residence. A parent or guardian may choose to enroll their  
13 student in a different school within the school district of  
14 residence. The state treasurer shall create and provide to  
15 each school district a form for use by a parent or guardian  
16 at the time of enrollment to indicate the parent or

17 guardian's choice as to the qualified school their student  
18 will attend for that school year.

19 2. The school district shall transmit any forms  
20 received, as provided in subsection 1 of this section, to  
21 the state treasurer. The school district shall also notify  
22 the department of elementary and secondary education within  
23 seven days of the parent submitting the form to the school.

24 3. Upon receipt of the form, the state treasurer shall  
25 remit, within thirty days, state aid under this chapter that  
26 would have been remitted to the school district of residence  
27 for the purpose of educating the student to the qualified  
28 school chosen by the parent or guardian if the parent or  
29 guardian chooses a school outside of the school district of  
30 residence.

31 4. The school district shall notify the department of  
32 elementary and secondary education, within seven days of the  
33 parent or guardian submitting the form, that the student  
34 shall no longer be attending a school within the district,  
35 if applicable. If the student enrolls in a qualified  
36 school, other than a public school located in the same  
37 school district of residence, the student shall not be  
38 counted in the resident school district's weighted average  
39 daily attendance as a resident student for purposes of  
40 determining state and federal aid for the student's resident  
41 school district.

42 5. As used in this section, the term "qualified  
43 school" shall include any of the following entities that is  
44 incorporated in Missouri and that does not discriminate on  
45 the basis of race, color, or national origin:

46 (1) A charter school as defined in section 160.400;

47 (2) A private school, which shall mean a school that  
48 is not part of the public school system of the state of

49 Missouri and that charges tuition for the rendering of  
50 elementary and secondary educational services;

51 (3) A public school as defined in section 160.011; or

52 (4) A public or private virtual school.

53 6. As used in this section, the term "state aid" shall  
54 mean the lesser of the state adequacy target for the student  
55 or the amount of tuition at the qualified school.

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