

SENATE BILL NO. 543

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR EIGEL.

1677S.01H

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 167, RSMo, by adding thereto one new section relating to school districts with a four-day school week.

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

Section A. Chapter 167, RSMo, is amended by adding thereto
2 one new section, to be known as section 167.2025, to read as
3 follows:

167.2025. 1. As used in this section, the following
2 terms shall have the following meaning:

3 (1) "Parent", a transferring student's parent,
4 guardian, or other person having custody or care of the
5 student;

6 (2) "Receiving district", a public school district
7 that is eligible to receive transferring students pursuant
8 to the provisions of this section;

9 (3) "Sending district", the public school district
10 from which a student is transferring to a receiving district
11 pursuant to the provisions of this section;

12 (4) "Superintendent", the superintendent of a school
13 district or the superintendent's designee;

14 (5) "Transferring student", a child in kindergarten
15 through twelfth grade who is enrolled in the sending
16 district and who transfers to a receiving district pursuant
17 to the provisions of this section.

18 2. Notwithstanding any other provision of law to the
19 contrary, in any school district where students are required
20 to attend a four-day school week, the parent of a student
21 enrolled in such district shall have the ability to withdraw
22 such student and enroll him or her in:

23 (1) An adjoining public school district where students
24 attend a five-day school week;

25 (2) A private, parochial, or parish school, provided
26 that the transferring student meets such school's admissions
27 requirements; or

28 (3) A home school, as defined in section 167.031.

29 3. No transfer of a student under the provisions of
30 this section shall result in a class size and assigned
31 enrollment in a receiving school that exceeds the standards
32 for class size and assigned enrollment as promulgated in the
33 Missouri school improvement program's resource standards.
34 If the transferring student chooses to attend a magnet
35 school, an academically selective school, or a school with a
36 competitive entrance process that has admissions
37 requirements, the student shall meet the admissions
38 requirements in order to attend. This section shall not be
39 construed to require a school district to add teachers,
40 staff, or classrooms or to in any way exceed the
41 requirements and standards established by existing law or
42 the receiving district.

43 4. (1) By February first annually, the board of
44 education of each eligible receiving district shall set the
45 number of transferring students the district is able to
46 receive for the following school year.

47 (2) A receiving district shall publish the number set
48 under this subsection on its website and in its student
49 handbook. A receiving district shall not be required to

50 accept any transferring students that would cause it to
51 exceed the published number.

52 5. For each transferring student, a sending district
53 shall pay the receiving district an amount equivalent to the
54 state adequacy target plus the average sum produced per
55 child by the local tax effort above the state adequacy
56 target of the sending district.

57 6. If a transferring student is transferring to a
58 private, parochial, parish, or home school, such student's
59 parent shall be reimbursed by the sending district for the
60 full amount specified in subsection 5 of this section. The
61 parent shall have the ability to be reimbursed for the cost
62 of tuition, books, supplies, equipment, and any other
63 qualified elementary and secondary education expenses, as
64 defined in Section 529 of the Internal Revenue Code of 1986,
65 as amended. The sending district shall reimburse the parent
66 for such expenses upon the parent's presentation of itemized
67 receipts or other verifiable evidence of such expenses.
68 Verifiable evidence may include a bank statement, a letter
69 signed by a retailer or educational service provider, or
70 other evidence satisfactory to the superintendent or a
71 majority of members of the board of education for the school
72 district.

73 7. The superintendent of a school district where
74 students attend a four-day week shall cause information
75 about the provisions of this section to be posted on the
76 district website and in the student handbook to inform
77 parents of students of the following provisions of this
78 section:

79 (1) The ability to transfer a student to an adjoining
80 public school district where students attend a five-day
81 school week;

82 (2) The ability to transfer a student to a private,
83 parochial, parish, or home school and be reimbursed for
84 qualified educational expenses; and

85 (3) The requirements and procedures for students to
86 transfer to an adjoining public school district or to a
87 private, parochial, parish, or home school.

88 8. A receiving district shall:

89 (1) Accept credits toward graduation that were awarded
90 by another district to a transferring student; and

91 (2) Award a diploma to a transferring student if the
92 student meets the receiving district's graduation
93 requirements.

94 9. (1) A receiving district may deny a transfer to a
95 student who, in the most recent school year, has been
96 suspended from school two or more times or who has been
97 suspended for an act of school violence or expelled under
98 subsection 2 of section 160.261. A student whose transfer
99 is initially precluded under this subsection may be
100 permitted to transfer on a provisional basis, subject to no
101 further disruptive or violent behavior, upon approval of the
102 receiving district's superintendent.

103 (2) A student who is denied a transfer pursuant to the
104 provisions of this subsection has the right to an in-person
105 meeting with the receiving district's superintendent. The
106 receiving district shall develop common standards for
107 determining disruptive and violent behavior that shall
108 include, but not be limited to, criteria under section
109 160.261.

110 10. No transferring student who returns to the
111 student's sending district shall reapply for a future
112 transfer pursuant to the provisions of this section until
113 after such student has been enrolled in and completed a full

114 school semester in a public school in the student's sending
115 district.

116 11. Except as otherwise provided in this section, a
117 transferring student attending school in a receiving
118 district may complete all remaining school years in the
119 receiving district without reapplying each school year.

120 12. A transferring student's parent shall be
121 responsible for the transportation of the student to and
122 from the school in the receiving district where the student
123 is enrolled. The receiving district may enter into an
124 agreement with the student's parent that the parent may
125 transport the student to an existing bus stop location
126 convenient to the school district if the school district has
127 capacity available on a bus serving that location. If
128 transportation is a related service on a student's
129 individualized education program, the receiving district
130 shall not be required to provide such transportation as a
131 related service under the student's individualized education
132 program if the receiving district and the student's parent
133 have entered into an agreement pursuant to the provisions of
134 this subsection. Such agreement shall contain a statement
135 that the parent is waiving the transportation as a related
136 service under the student's individualized education plan.

137 13. Notwithstanding the provisions of chapter 163 to
138 the contrary, for the purposes of determining state and
139 federal aid, a transferring student shall be counted as a
140 resident pupil of the receiving district in which the
141 student is enrolled.

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