

SENATE BILL NO. 711

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR EIGEL.

2701S.01H

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 161.020, RSMo, and to enact in lieu thereof one new section relating to abolishing the department of elementary and secondary education.

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

Section A. Section 161.020, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 161.020, to read as follows:

161.020. 1. [There is hereby created a department of elementary and secondary education headed by a state board of education as provided in Article IX, Constitution of Missouri, and chapter 161 and others. The state board shall appoint a commissioner of education as the chief administrative officer of the department.

2. The department of education, chapter 161 and others, is abolished and its powers, duties, personnel and property are transferred as provided in this act.

3. The division of public schools of the department of education, chapter 161 and others, is abolished and its powers, duties, personnel and property, with exceptions specified elsewhere in this act, are transferred by type I transfer to the department of elementary and secondary education.

4. The Missouri School for the Deaf, chapter 178 and others, and the Missouri School for the Blind, chapter 178 and others, are transferred to the department of elementary

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 and secondary education by a type I transfer. The
20 commissioner of education shall appoint superintendents for
21 these schools and members of the advisory boards, provided
22 in chapter 178 and others.] The department of elementary and
23 secondary education is abolished, and its powers, duties,
24 personnel, and property shall be transferred as part of a
25 reorganization plan of the governor under sections 26.500 to
26 26.540 as provided in this section.

27 2. Notwithstanding any provision of law to the
28 contrary, the powers, duties, personnel, and property of the
29 divisions and offices of the department of elementary and
30 secondary education listed in subdivisions (1) through (10)
31 of this subsection shall be transferred as part of a
32 reorganization plan of the governor to the state agencies
33 and offices to be selected by the governor:

- 34 (1) Division of financial and administrative services;
- 35 (2) Division of learning services;
- 36 (3) Missouri schools for the severely disabled;
- 37 (4) Office of adult learning and rehabilitation;
- 38 (5) Office of childhood;
- 39 (6) Office of college and career readiness;
- 40 (7) Office of data system management;
- 41 (8) Office of educator quality;
- 42 (9) Office of quality schools; and
- 43 (10) Office of special education.

44 3. The state board of education shall continue to
45 select and appoint a commissioner of education as its chief
46 administrative officer, pursuant to section 2(b) of article
47 IX of the Missouri constitution. The commissioner of
48 education shall assist the state board of education, the
49 governor or the governor's designee, and the appropriate

50 state agencies or offices with the implementation of the
51 transfers authorized by this section.

52 4. Notwithstanding any provision of subsection 2 of
53 this section to the contrary, and subject to the approval of
54 both the governor and the state board of education, the
55 office of the commissioner of education shall retain or
56 employ any administrative, communications, financial
57 services, governmental affairs, or legal staff members that
58 may be necessary to assist the state board of education, the
59 governor or the governor's designee, and the appropriate
60 state agencies or offices with the implementation of the
61 provisions of this section.

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