

SENATE BILL NO. 233

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR MCCREERY.

0228S.03I

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 162, RSMo, by adding thereto five new sections relating to early childhood education.

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

Section A. Chapter 162, RSMo, is amended by adding thereto five new sections, to be known as sections 162.2000, 162.2005, 162.2015, 162.2025, and 162.2035, to read as follows:

162.2000. 1. As used in sections 162.2000 to 162.2035, unless the context clearly indicates otherwise, the following terms mean:

(1) "Department", the department of elementary and secondary education;

(2) "Early education district", a special district, as such term is defined in section 115.013, that is formed for purposes of providing free public prekindergarten programs to eligible children pursuant to the provisions of sections 162.2000 to 162.2035;

(3) "Eligible child", any child who reaches the age of four before the first day of August of the school year beginning in that calendar year, but who is not yet eligible for kindergarten pursuant to the provisions of section 160.053, and who is not enumerated for payments pursuant to section 163.018.

2. An early education district may be established in a county with more than one million inhabitants pursuant to

19 the provisions of sections 162.2000 to 162.2035 for purposes
20 of providing free public prekindergarten programs for
21 eligible children who reside within the county.

22 3. The curriculum of an early education district shall
23 be so designed as to be developmentally appropriate and
24 aligned with the early childhood education standards
25 established pursuant to the provisions of section 161.213
26 and any other standards for early childhood education and
27 early childhood special education established by the
28 department.

29 4. The board of education of an early education
30 district may establish or partner with schools to provide
31 prekindergarten programs for eligible children within any
32 public school district comprising the early education
33 district. The board may additionally establish programs for
34 any such children within any school district included in the
35 early education district.

36 5. Upon the establishment of an early education
37 district, the school districts located in the same county as
38 the early education district and the state board of
39 education shall continue to provide services formerly
40 provided to eligible children residing in the county until
41 the resources of the early education district are sufficient
42 to permit its assuming such responsibilities.

43 6. An early education district shall comply with any
44 accountability metrics for early childhood education
45 established by the department, and shall provide reasonable
46 assistance to the department in the development of such
47 accountability metrics for early childhood programming.

48 7. The department shall inspect all programs for
49 eligible children established by an early education district
50 pursuant to the provisions of sections 162.2000 to

51 162.2035. Upon the department's approval, and upon the levy
52 of an initial property tax for the early education district
53 as provided in section 162.2035, the following provisions
54 shall apply:

55 (1) The district shall receive state aid for eligible
56 children enrolled in such district in an amount equal to the
57 product of the district's weighted average daily attendance
58 multiplied by the state adequacy target multiplied by the
59 dollar value modifier, as such terms are defined in section
60 163.011, provided that any children who are otherwise
61 enumerated in the pupil count of a school district for
62 payment pursuant to the provisions of section 163.018 shall
63 not be included in such calculation;

64 (2) The district shall receive state aid pursuant to
65 the provisions of section 162.700 to provide special
66 education services for eligible children in the same manner
67 as such funds are appropriated to other school districts;

68 (3) The district shall receive state aid pursuant to
69 the provisions of section 163.172 to fund teacher salaries
70 in the same manner as other school districts receive such
71 state aid; and

72 (4) All teachers and other personnel of such district
73 shall be eligible for career pay supplements and retirement
74 allowances in the same manner as other public school
75 employees are eligible for career pay supplements and
76 retirement allowances pursuant to the provisions of sections
77 168.500 to 168.515 and chapter 169.

78 8. The department of elementary and secondary
79 education shall promulgate rules to implement the provisions
80 of sections 162.2000 to 162.2035. Any rule or portion of a
81 rule, as that term is defined in section 536.010, that is
82 created under the authority delegated in this section shall

83 become effective only if it complies with and is subject to
84 all of the provisions of chapter 536 and, if applicable,
85 section 536.028. This section and chapter 536 are
86 nonseverable and if any of the powers vested with the
87 general assembly pursuant to chapter 536 to review, to delay
88 the effective date, or to disapprove and annul a rule are
89 subsequently held unconstitutional, then the grant of
90 rulemaking authority and any rule proposed or adopted after
91 August 28, 2025, shall be invalid and void.

162.2005. 1. An early education district may be
2 established in any county with more than one million
3 inhabitants only as permitted pursuant to the provisions of
4 this section.

5 2. (1) When the voters of the county desire to form
6 an early education district, a petition signed by voters of
7 the county in a number equal to at least five percent of the
8 number of votes cast for school board members, in the
9 aggregate, in the most recent school board election for each
10 school district located wholly within the county, shall be
11 submitted to the board of election commissioners. The
12 petition shall request that a proposal be submitted to the
13 voters of the county for the organization of an early
14 education district embracing the entire area of the county
15 for the purpose of providing free public prekindergarten
16 programs for eligible children who reside in the county.

17 (2) Within thirty days of receipt of the petition
18 described in subdivision (1) of this subsection, the board
19 of election commissioners shall verify the signatures and
20 cause the proposal to be submitted to the voters of the
21 county at the next general municipal election in accordance
22 with the provisions of chapter 115.

23 3. The question shall be submitted to qualified voters
24 in substantially the following form:

25 Shall there be organized an early education
26 district in _____ (county name), state of
27 Missouri, for the purpose of providing public
28 prekindergarten programs under the direction of
29 the Missouri department of elementary and
30 secondary education for children in the year
31 before kindergarten eligibility, embracing the
32 entire area of the county, having the power to
33 impose a property tax not to exceed the annual
34 rate of fifty-two cents on each hundred dollars
35 assessed valuation, and any additional tax that
36 is approved hereafter by vote thereon, and to be
37 known as "The Early Education District of
38 _____", as requested by a petition filed on the
39 _____ day of _____, 20_____?

40 4. If a majority of the votes cast on the question by
41 the qualified voters in the county are in favor of the
42 measure, then the provisions of subsection 1 of this section
43 shall become effective. If a majority of the votes cast on
44 the question by the qualified voters voting thereon are
45 opposed to the measure, then the provisions of subsection 1
46 of this section shall not become effective unless and until
47 the measure is resubmitted pursuant to the provisions of
48 this section to the qualified voters and such question is
49 approved by a majority of the qualified voters voting on the
50 same measure.

51 5. When a new early education district is organized,
52 it shall be a body corporate and political subdivision of
53 the state and shall be known as "The Early Education
54 District of _____" (a name selected by the governing board)

55 and, in that name, may sue and be sued, levy and collect
56 taxes within the limitations of the Constitution of Missouri
57 and section 162.2035, issue bonds, and possess the same
58 corporate powers as seven-director school districts, other
59 than urban districts.

162.2015. 1. The board of education of an early
2 education district shall consist of seven members to be
3 elected by the qualified voters of such district as provided
4 in section 162.2025. The board shall perform the same
5 duties and be subject to the same liabilities as the board
6 of a seven-director school district, other than an urban
7 district, acting under the general school laws of the state
8 of Missouri.

9 2. The board of education of an early education
10 district shall have the power to:

11 (1) Establish and operate public prekindergarten
12 programs for eligible children residing in the district
13 subject to rules and regulations promulgated by the
14 department pursuant to the provisions of sections 162.2000
15 to 162.2035;

16 (2) Develop and adopt the annual budget;

17 (3) Authorize all tax levies by two-thirds approval of
18 the board of education prior to submission of the tax levy
19 proposal to the voters of the district as provided by law;

20 (4) Annually develop a five-year plan for the
21 operation and management of the district. In developing the
22 plan, the board of education shall solicit a broad range of
23 public input. The plan shall contain, but shall not be
24 limited to, the following:

25 (a) The delivery of services;

26 (b) The structure, governance, administration, and
27 financial management of the district;

28 (c) Cooperation with component school districts; and

29 (d) Responsiveness to the needs and concerns of the
30 citizens of the early education district;

31 (5) Employ administrators, teachers, and other
32 personnel necessary to provide public prekindergarten
33 programs to eligible children resident within the district's
34 boundaries;

35 (6) Work with the department and other entities
36 engaged in accreditation of early childhood programming to
37 create statewide accountability metrics for early childhood
38 education, and to take all necessary actions to comply with
39 any such accountability metrics established by the
40 department;

41 (7) Ensure that there is no coercion or interference
42 with any parent of a pupil of the early education district
43 on account of the parent having exercised any rights under
44 any law affecting the education of the pupil; and

45 (8) Do such other things as are necessary and
46 incidental to any of the powers set forth in sections
47 162.2000 to 162.2035 or in the laws applicable to seven-
48 director school districts, except urban districts.

162.2025. 1. Candidates for membership on the board
2 of education of an early education district shall be voters
3 of the early education district who have resided within the
4 state for one year preceding the election and who are at
5 least twenty-four years of age. All candidates shall file
6 their declarations of candidacy with the secretary of the
7 state board of education for the initial election of board
8 members and shall file their declarations of candidacy with
9 the board of education of the early education district for
10 all subsequent elections of board members.

11 2. Except as otherwise provided in this section, the
12 board members of an early education district shall be
13 elected at large in municipal elections conducted in
14 accordance with the provisions of chapter 115. The term of
15 office of each member of the board of education shall be
16 three years, except that of the initial elected board
17 members, the seven candidates receiving the highest number
18 of votes cast shall be elected as follows:

19 (1) The three candidates receiving the highest number
20 of votes cast shall be elected for terms of three years each;

21 (2) The two candidates receiving the next highest
22 number of votes cast shall be elected for terms of two years
23 each; and

24 (3) The two candidates receiving the next highest
25 number of votes cast shall be elected for terms of one year
26 each.

27 3. That part of the year between the date of the
28 election of board members and the municipal election day of
29 the following year is considered a full year in the terms of
30 the members elected. All board members shall serve until
31 their successors are elected and qualified. Any vacancy
32 occurring in the unexpired term of office of any board
33 member shall be filled for the remainder of the unexpired
34 term by the remaining members of the board; except that if
35 there are more than two vacancies at any one time, the
36 county board of commissioners upon receiving written notice
37 of the vacancies shall fill the vacancies by appointment.
38 The person appointed shall hold office until the next
39 municipal election, when a board member shall be elected for
40 the unexpired term. The state board of education shall
41 issue certificates of election to the board members elected.

42 4. No member of the board of education of an early
43 education district shall:

44 (1) Vote on, solicit, transact, offer, or accept any
45 contract between the early education district and any
46 corporation, partnership, association, or other organization
47 in which that member of the board of education has a
48 financial interest, unless otherwise provided in this
49 section, excluding interests owned prior to such member's
50 election;

51 (2) Be a paid employee of the board of education of
52 the early education district while serving; or

53 (3) Vote on, solicit, transact, offer, or accept any
54 contract or procurement in which that board member shall
55 have a direct or indirect beneficial interest, unless:

56 (a) The material facts as to such member's
57 relationship or interest and as to the contract or
58 transaction are disclosed in writing and are known to the
59 board, and such board, in good faith, authorizes the
60 contract or transaction by the affirmative vote of the
61 majority of the disinterested members; and

62 (b) Such member's relationship or interest in such
63 contract or transaction shall not be voted upon by such
64 interested member.

162.2035. 1. The initial tax imposed on property
2 subject to the taxing power of an early education district
3 under Article X, Section 11(a) of the Constitution of
4 Missouri shall not exceed the annual rate of fifty-two cents
5 on each hundred dollars assessed valuation, which tax rate
6 shall be used for the district's programs for the education
7 of eligible children as provided in sections 162.2000 to
8 162.2035.

9 2. Increases in the tax rate may be made with voter
10 approval in the same manner as provided in chapter 164 for
11 other school districts.

12 3. All real and tangible personal property owned by
13 railroads, street railways, bridge companies, telegraph
14 companies, electric light and power companies, electric
15 transmission line companies, pipeline companies, express
16 companies, airline companies, and other companies and public
17 utilities whose property is assessed by the state tax
18 commission shall be taxed at the same rate of taxation
19 levied on other property in the early education district.
20 Such property shall be taxed in the same manner and to the
21 same extent as property that is subject to assessment and
22 taxation for general county purposes, and all of the
23 provisions of chapters 151, 153, 154, and 155 shall apply to
24 taxation by early education districts to the same extent as
25 if early education districts were specifically included in
26 the provisions contained in chapters 151, 153, 154, and 155,
27 except that the taxes levied by early education districts
28 shall not be included for the purpose of determining the
29 average school levy for the other school districts in the
30 county in which they are situated. The taxes levied against
31 the property by early education districts shall be collected
32 in the same manner as general county taxes.

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