

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 304

95TH GENERAL ASSEMBLY

0130L.02P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 162.431, RSMo, and to enact in lieu thereof one new section relating to school boundary lines.

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

Section A. Section 162.431, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 162.431, to read as follows:

162.431. 1. When it is necessary to change the boundary lines between seven-director school districts, in each district affected, ten percent of the voters by number of those voting for school board members in the last annual school election in each district may petition the district boards of education in the districts affected, regardless of county lines, for a change in boundaries. The question shall be submitted at the next election, as the term "election" is referenced and defined in section 115.123, RSMo.

2. The voters shall decide the question by a majority vote of those who vote upon the question. If assent to the change is given by each of the various districts voting, each voting separately, the boundaries are changed from that date.

3. If one of the districts votes against the change and the other votes for the change, the matter may be appealed to the state board of education, in writing, within fifteen days of the submission of the question by either one of the districts affected, or in the above event by a majority of the signers of the petition requesting a vote on the proposal. At the first meeting of the state board following the appeal, a board of arbitration composed of three members, none of whom shall be a resident of any district affected, shall be appointed. In determining whether it is necessary to change the boundary line between seven-director districts, the board of arbitration shall base its decision upon the following:

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 18 (1) The presence of school-aged children in the affected area;
- 19 (2) The presence of actual educational harm to school-aged children, either due to a
- 20 significant difference in the time involved in transporting students or educational deficiencies
- 21 in the district which would have its boundary adversely affected; and
- 22 (3) The presence of an educational necessity, not of a commercial benefit to landowners
- 23 or to the district benefitting for the proposed boundary adjustment.

24

25 **For purposes of subdivision (2) of this subsection, "significant difference in the time**
26 **involved in transporting students" shall mean a difference of one hour or more per trip in**
27 **travel time. "Travel time" is the period of time required to transport a pupil from the**
28 **pupil's place of residence or other designated pickup point to the site of the pupil's**
29 **educational placement.**

30 4. [If the potential receiving district obtained a score consistent with the criteria for
31 classification of the district as accredited on its most recent annual performance report and the
32 potential sending district obtained a score consistent with the criteria for classification of the
33 district as unaccredited on its most recent annual performance report, the board shall approve the
34 proposed boundary change for the educational well-being of the children enrolled in the potential
35 sending district.

36 5.] Within twenty days after notification of appointment, the board of arbitration shall
37 meet and consider the necessity for the proposed changes and shall decide whether the
38 boundaries shall be changed as requested in the petition or be left unchanged, which decision
39 shall be final. The decision by the board of arbitration shall be rendered not more than thirty
40 days after the matter is referred to the board. The chairman of the board of arbitration shall
41 transmit the decision to the secretary of each district affected who shall enter the same upon the
42 records of his district and the boundaries shall thereafter be in accordance with the decision of
43 the board of arbitration. The members of the board of arbitration shall be allowed a fee of fifty
44 dollars each, to be paid at the time the appeal is made by the district taking the appeal or by the
45 petitioners should they institute the appeal.

46 [6.] 5. If the board of arbitration decides that the boundaries shall be left unchanged, no
47 new petition for the same, or substantially the same, boundary change between the same districts
48 shall be filed until after the expiration of two years from the date of the municipal election at
49 which the question was submitted to the voters of the districts.

