

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1711
91ST GENERAL ASSEMBLY

3884L.08T

2002

AN ACT

To repeal sections 108.140, 160.011, 160.051, 160.518, 160.530, 161.092, 163.011, 163.036, 166.260, and 168.400, RSMo, and to enact in lieu thereof fourteen new sections relating to state school aid.

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

Section A. Sections 108.140, 160.011, 160.051, 160.518, 160.530, 161.092, 163.011, 163.036, 166.260, and 168.400, RSMo, are repealed and fourteen new sections enacted in lieu thereof, to be known as sections 82.293, 108.140, 160.011, 160.051, 160.518, 160.530, 160.531, 160.720, 161.092, 163.011, 163.036, 166.260, 168.400, and 170.014, to read as follows:

82.293. 1. Absent explicit statutory authority, no constitutional charter city with more than seventy thousand five hundred but less than seventy-one thousand inhabitants located at least in part within a county of the first classification with more than eighty-two thousand but less than eighty-two thousand one hundred inhabitants shall enact any ordinance, regulation, or resolution that would impose a surcharge or other fee to compensate any political subdivision organized pursuant to chapter 162, RSMo.

2. If any provision of this section or the application thereof to anyone or to any circumstances is held invalid, the remainder of section A of this act and the application of such provisions to others or other circumstances shall not be affected thereby.

108.140. 1. The various counties in this state for themselves, as well as for and on behalf of any township, or other political subdivision for which the counties may have issued any general obligation bonds, and the several cities, school districts or other political corporations or subdivisions of the state, are hereby authorized to refund, extend, and unify the whole or part

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

5 of their valid general obligation bonded indebtedness, or judgment indebtedness, and for such
6 purpose may issue, negotiate, sell and deliver refunding general obligation bonds and with the
7 proceeds therefrom pay off, redeem and cancel the bonds to be refunded in advance of their
8 maturity or redemption or as the same mature or are called for redemption, or pay and cancel
9 such judgment indebtedness, or such refunding general obligation bonds may be issued and
10 delivered in exchange for and upon surrender and cancellation of the bonds refunded thereby,
11 or such judgment indebtedness. **School districts may pay costs and expenses related to**
12 **issuing such refunding general obligation bonds from proceeds from the sale of such bonds.**
13 In no case shall the refunding general obligation bonds exceed the amount of the principal of the
14 outstanding bond or judgment indebtedness to be refunded and the interest accrued thereon to
15 the date of such refunding bonds. No refunding bond issued as provided in this subsection shall
16 be payable in more than twenty years from the date thereof and such refunding bonds shall bear
17 interest not to exceed the same rate as the bonds refunded, or judgment indebtedness; provided,
18 that nothing in this section shall be so construed as to prohibit any county, city, school district,
19 or other political corporation or subdivision of the state from refunding its general obligation
20 bonded indebtedness without the submission of the question to a popular vote.

21 2. The various counties in this state for themselves, as well as for and on behalf of any
22 township, or other political subdivision for which the counties may have issued any revenue
23 bonds, notes or other obligations, and the several cities, school districts or other political
24 corporations or subdivisions of the state, are hereby authorized to refund, extend, and unify the
25 whole or part of their valid outstanding revenue bonds, notes or other obligations, and for such
26 purpose may issue, negotiate, sell and deliver refunding revenue bonds, notes or other obligations
27 and with the proceeds therefrom pay off, redeem and cancel the obligations to be refunded in
28 advance of their maturity or redemption or as the same mature or are called for redemption, or
29 such refunding revenue bonds, notes or other obligations may be issued and delivered in
30 exchange for and upon surrender and cancellation of the obligations refunded thereby. In no case
31 shall the refunding revenue bonds, notes or other obligations exceed the amount determined by
32 the governing body of the issuing political corporation or subdivision to be necessary to pay or
33 provide for the payment of the principal of the outstanding obligations to be refunded, together
34 with the interest accrued thereon to the date of such refunding obligations and the interest to
35 accrue thereon to the date of maturity or redemption of such obligations to be refunded and any
36 premium which may be due under the terms of such obligations to be refunded and any amounts
37 necessary for the payment of costs and expenses related to issuing such refunding obligations and
38 to fund a debt service reserve fund for the obligations. All such refunding revenue bonds, notes
39 or other obligations shall bear interest at such rates as the governing body of the issuing political
40 subdivision shall provide, which rates of interest may exceed the rates of interest on the

obligations being refunded but shall not exceed the maximum legal rate established by section 108.170. The refunding revenue bonds, notes or other obligations may be payable from the same sources as were pledged to the payment of the obligations refunded and, in the discretion of the governing body of the issuing political subdivision, may be payable from any other source which may be pledged to the payment of revenue bonds, notes or other obligations under any provision of law relating to the issuance of the obligations refunded. Nothing in this section shall be so construed as to prohibit any county, city, school district, or other political corporation or subdivision of the state from refunding its revenue bonded indebtedness without the submission of the question to a popular vote.

160.011. As used in chapters 160, 161, 162, 163, 164, 165, 167, 168, 170, 171, 177 and 178, RSMo, the following terms mean:

(1) "District" or "school district", when used alone, may include seven-director, urban, and metropolitan school districts;

(2) "Elementary school", a public school giving instruction in a grade or grades not higher than the eighth grade;

(3) "Family literacy programs", services of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in families that include:

(a) Interactive literacy activities between parents and their children;

(b) Training of parents regarding how to be the primary teacher of their children and full partners in the education of their children;

(c) Parent literacy training that leads to high school completion and economic self sufficiency; and

(d) An age-appropriate education to prepare children of all ages for success in school;

[(3)] **(4) "Graduation rate"**, the quotient of the number of graduates in the current year as of June thirtieth divided by the sum of the number of graduates in the current year as of June thirtieth plus the number of twelfth graders who dropped out in the current year plus the number of eleventh graders who dropped out in the preceding year plus the number of tenth graders who dropped out in the second preceding year plus the number of ninth graders who dropped out in the third preceding year;

[(4)] **(5) "High school"**, a public school giving instruction in a grade or grades not lower than the ninth nor higher than the twelfth grade;

[(5)] **(6) "Metropolitan school district"**, any school district the boundaries of which are coterminous with the limits of any city which is not within a county;

[(6)] **(7) "Public school"** includes all elementary and high schools operated at public expense;

28 [(7)] (8) "School board", the board of education having general control of the property
29 and affairs of any school district;

30 [(8)] (9) "School term", a minimum of one hundred seventy-four school days, as that
31 term is defined in section 160.041, and one thousand forty-four hours of actual pupil attendance
32 as scheduled by the board pursuant to section 171.031, RSMo, during a twelve-month period in
33 which the academic instruction of pupils is actually and regularly carried on for a group of
34 students in the public schools of any school district. A "school term" may be within a school
35 year or may consist of parts of two consecutive school years, but does not include summer
36 school. A district may choose to operate two or more terms for different groups of children;

37 [(9)] (10) "Secretary", the secretary of the board of a school district;

38 [(10)] (11) "Seven-director district", any school district which has seven directors and
39 includes urban districts regardless of the number of directors an urban district may have unless
40 otherwise provided by law;

41 [(11)] (12) "Taxpayer", any individual who has paid taxes to the state or any subdivision
42 thereof within the immediately preceding twelve-month period or the spouse of such individual;

43 [(12)] (13) "Town", any town or village, whether or not incorporated, the plat of which
44 has been filed in the office of the recorder of deeds of the county in which it is situated;

45 [(13)] (14) "Urban school district", any district which includes more than half of the
46 population or land area of any city which has not less than seventy thousand inhabitants, other
47 than a city which is not within a county.

160.051. 1. A system of free public schools is established throughout the state for the
2 gratuitous instruction of persons between the ages of five and twenty-one years. Any child
3 whose fifth birthday occurs before the first day of August shall be deemed to have attained the
4 age of five years at the commencement of the school year beginning in that calendar year or at
5 the commencement of the summer school session immediately prior to the school term beginning
6 in the school year beginning in that calendar year, whichever is earlier, for the purpose of
7 apportioning state school funds and for all other purposes.

8 **2. Public schools may establish family literacy programs for children of all ages and**
9 **their families.**

10 [2.] 3. The department of elementary and secondary education shall not use school for
11 kindergarten pupils in the summer preceding such pupils' regular fall starting date as an element
12 of the standards of the Missouri school improvement program.

160.518. 1. Consistent with the provisions contained in section 160.526, the state board
2 of education shall develop a statewide assessment system that provides maximum flexibility for
3 local school districts to determine the degree to which students in the public schools of the state
4 are proficient in the knowledge, skills and competencies adopted by such board pursuant to

5 subsection 1 of section 160.514. The statewide assessment system shall assess problem solving,
6 analytical ability, evaluation, creativity and application ability in the different content areas and
7 shall be performance-based to identify what students know, as well as what they are able to do,
8 and shall enable teachers to evaluate actual academic performance. The assessment system shall
9 neither promote nor prohibit rote memorization and shall not include existing versions of tests
10 approved for use pursuant to the provisions of section 160.257, nor enhanced versions of such
11 tests. The statewide assessment shall measure, where appropriate by grade level, a student's
12 knowledge of academic subjects including, but not limited to, reading skills, writing skills,
13 mathematics skills, world and American history, forms of government, geography and science.

14 2. The assessment system shall only permit the academic performance of students in each
15 school in the state to be tracked against prior academic performance in the same school.

16 3. The state board of education shall suggest criteria for a school to demonstrate that its
17 students learn the knowledge, skills and competencies at exemplary levels worthy of imitation
18 by students in other schools in the state and nation. "Exemplary levels" shall be measured by the
19 assessment system developed pursuant to subsection 1 of this section, or until said assessment
20 is available, by indicators approved for such use by the state board of education. The provisions
21 of other law to the contrary notwithstanding, the commissioner of education may, upon request
22 of the school district, present a plan for the waiver of rules and regulations to any such school,
23 to be known as "Outstanding Schools Waivers", consistent with the provisions of subsection 4
24 of this section.

25 4. For any school that meets the criteria established by the state board of education for
26 three successive school years pursuant to the provisions of subsection 3 of this section, by
27 August first following the third such school year, the commissioner of education shall present
28 a plan to the superintendent of the school district in which such school is located for the waiver
29 of rules and regulations to promote flexibility in the operations of the school and to enhance and
30 encourage efficiency in the delivery of instructional services. The provisions of other law to the
31 contrary notwithstanding, the plan presented to the superintendent shall provide a summary
32 waiver, with no conditions, for the pupil testing requirements pursuant to section 160.257, in the
33 school. Further, the provisions of other law to the contrary notwithstanding, the plan shall detail
34 a means for the waiver of requirements otherwise imposed on the school related to the authority
35 of the state board of education to classify school districts pursuant to subdivision (9) of section
36 161.092, RSMo, and such other rules and regulations as determined by the commissioner of
37 education, excepting such waivers shall be confined to the school and not other schools in the
38 district unless such other schools meet the criteria established by the state board of education
39 consistent with subsection 3 of this section and the waivers shall not include the requirements
40 contained in this section and section 160.514. Any waiver provided to any school as outlined

41 in this subsection shall be void on June thirtieth of any school year in which the school fails to
42 meet the criteria established by the state board of education consistent with subsection 3 of this
43 section.

44 5. The score on any assessment test developed pursuant to this section or this chapter of
45 any student for whom English is a second language shall not be counted until such time as such
46 student has been educated for three full school years in a school in this state, or in any other state,
47 in which English is the primary language.

48 6. The state board of education shall identify or, if necessary, establish one or more
49 developmentally appropriate alternate assessments for students who receive special
50 educational services, as that term is defined pursuant to section 162.675, RSMo. In the
51 development of such alternate assessments, the state board shall establish an advisory
52 panel consisting of a majority of active special education teachers and other education
53 professionals as appropriate to research available assessment options. The advisory panel
54 shall attempt to identify preexisting developmentally appropriate alternate assessments but
55 shall, if necessary, develop alternate assessments and recommend one or more alternate
56 assessments for adoption by the state board. The state board shall consider the
57 recommendations of the advisory council in establishing such alternate assessment or
58 assessments. Any student who receives special educational services, as that term is defined
59 pursuant to section 162.675, RSMo, shall be assessed by an alternate assessment
60 established pursuant to this subsection upon a determination by the student's
61 individualized education program team that such alternate assessment is more appropriate
62 to assess the student's knowledge, skills and competencies than the assessment developed
63 pursuant to subsection 1 of this section. The alternate assessment shall evaluate the
64 student's independent living skills, which include how effectively the student addresses
65 common life demands and how well the student meets standards for personal independence
66 expected for someone in the student's age group, sociocultural background, and
67 community setting.

160.530. 1. Beginning with fiscal year 1994 and for all fiscal years thereafter, in order
2 to be eligible for state aid distributed pursuant to section 163.031, RSMo, a school district shall
3 allocate one percent of moneys received pursuant to section 163.031, RSMo, exclusive of
4 categorical add-ons, to the professional development committee of the district as established in
5 subdivision (1) of subsection 4 of section 168.400, RSMo. Of the moneys allocated to the
6 professional development committee in any fiscal year as specified by this subsection,
7 seventy-five percent of such funds shall be spent in the same fiscal year for purposes determined
8 by the professional development committee after consultation with the administrators of the
9 school district and approved by the local board of education as meeting the objectives of a school

10 improvement plan of the district that has been developed by the local board. Moneys expended
11 for staff training pursuant to any provisions of this act shall not be considered in determining the
12 requirements for school districts imposed by this subsection.

13 2. Beginning with fiscal year 1994 and for all fiscal years thereafter, ninety percent of
14 one percent of moneys appropriated to the department of elementary and secondary education
15 otherwise distributed to the public schools of the state pursuant to the provisions of section
16 163.031, RSMo, exclusive of categorical add-ons, shall be distributed by the commissioner of
17 education to address statewide areas of critical need for learning and development as determined
18 by rule and regulation of the state board of education with the advice of the commission
19 established by section 160.510 and the advisory council provided by subsection 1 of section
20 168.015, RSMo. The moneys described in this subsection may be distributed by the
21 commissioner of education to colleges, universities, private associations, professional education
22 associations, statewide associations organized for the benefit of members of boards of education,
23 public elementary and secondary schools, and other associations and organizations that provide
24 professional development opportunities for teachers, administrators, **family literacy personnel**
25 and boards of education for the purpose of addressing statewide areas of critical need, provided
26 that subdivisions (1), [and] (2) and (3) of this subsection shall constitute priority uses for such
27 moneys. "Statewide areas of critical need for learning and development" shall include:

28 (1) Funding the operation of state management teams in districts with academically
29 deficient schools and providing resources specified by the management team as needed in such
30 districts;

31 (2) Funding for grants to districts, upon application to the department of elementary and
32 secondary education, for resources identified as necessary by the district, for those districts which
33 are failing to achieve assessment standards;

34 **(3) Funding for family literacy programs;**

35 [(3)] **(4)** Ensuring that all children, especially children at risk, children with special
36 needs, and gifted students are successful in school;

37 [(4)] **(5)** Increasing parental involvement in the education of their children;

38 [(5)] **(6)** Providing information which will assist public school administrators and
39 teachers in understanding the process of site-based decision making;

40 [(6)] **(7)** Implementing recommended curriculum frameworks as outlined in section
41 160.514;

42 [(7)] **(8)** Training in new assessment techniques for students;

43 [(8)] **(9)** Cooperating with law enforcement authorities to expand successful antidrug
44 programs for students;

45 [(9)] **(10)** Strengthening existing curricula of local school districts to stress drug and

46 alcohol prevention;

47 [(10)] (11) Implementing and promoting programs to combat gang activity in urban areas
48 of the state;

49 [(11)] (12) Establishing family schools, whereby such schools adopt proven models of
50 one-stop state services for children and families;

51 [(12)] (13) Expanding adult literacy services; and

52 [(13)] (14) Training of members of boards of education in the areas deemed important
53 for the training of effective board members as determined by the state board of education.

54 3. Beginning with fiscal year 1994 and for all fiscal years thereafter, ten percent of one
55 percent of moneys appropriated to the department of elementary and secondary education
56 otherwise distributed to the public schools of the state pursuant to the provisions of section
57 163.031, RSMo, exclusive of categorical add-ons, shall be distributed in grant awards by the
58 state board of education, by rule and regulation, for the "Success Leads to Success" grant
59 program, which is hereby created. The purpose of the success leads to success grant program
60 shall be to recognize, disseminate and exchange information about the best professional teaching
61 practices and programs in the state that address student needs, and to encourage the staffs of
62 schools with these practices and programs to develop school-to-school networks to share these
63 practices and programs.

**160.531. 1. Beginning with fiscal year 2005 and for all fiscal years thereafter, an
2 amount, as specified in subsection 2 of this section, of the appropriation to the department
3 of elementary and secondary education otherwise distributed to the public schools of the
4 state pursuant to the provisions of section 163.031, RSMo, shall be distributed by the
5 department of elementary and secondary education to establish and fund family literacy
6 programs in school attendance centers declared academically deficient by the state board
7 of education as authorized by section 160.538 or school districts declared unaccredited or
8 provisionally accredited by the state board of education pursuant to section 161.092,
9 RSMo.**

10 **2. The amount to be distributed by the department of elementary and secondary
11 education to establish and fund family literacy programs pursuant to subsection 1 of this
12 section shall be one and one-half percent of the total line 14 distribution.**

13 **3. The department of elementary and secondary education shall promulgate rules
14 for the distribution of family literacy funds.**

15 **4. No rule or portion of a rule promulgated pursuant to the authority of this section
16 shall become effective unless it has been promulgated pursuant to chapter 536, RSMo.**

**160.720. 1. The department of elementary and secondary education shall identify
2 for recognition by the governor schools demonstrating high student achievement to be**

3 designated as performance schools. In addition, the department of elementary and
4 secondary education shall identify those waivers of administrative rule authorized under
5 state law appropriate for the recognized school district or school. The department of
6 elementary and secondary education shall endeavor to identify waivers of administrative
7 rule that result in a meaningful reduction in administrative burden on the districts
8 recognized in this section.

9 2. The department of elementary and secondary education shall identify priority
10 school districts and priority schools based upon the following criteria:

11 (1) School attendance centers declared academically deficient by the state board
12 of education as authorized by section 160.538;

13 (2) School districts declared unaccredited or provisionally accredited by the state
14 board of education pursuant to section 161.092, RSMo; or

15 (3) School districts or school attendance centers that do not meet any of the
16 accreditation standards on student performance established by the state board of
17 education based upon the statewide assessment system authorized pursuant to section
18 160.518.

19 3. The board of education of any priority school district or priority school shall
20 submit, as a part of a comprehensive school improvement plan, an accountability
21 compliance statement that shall:

22 (1) Identify and analyze areas of deficiency in student performance by school, grade
23 and academic content area;

24 (2) Provide a comprehensive strategy for addressing these areas of deficiency;

25 (3) Assure disclosure of these areas of deficiency in the school accountability report
26 card required pursuant to section 160.522;

27 (4) Permit a metropolitan district that is implementing a program of academic
28 improvement in a school or schools identified pursuant to a settlement agreement for a
29 desegregation lawsuit to submit the elements of the accountability compliance statement
30 required in subdivisions (1) to (3) of this subsection for review for possible waiver solely
31 in regard to the schools identified for academic improvement pursuant to the settlement
32 agreement; provided, however, that the department of elementary and secondary
33 education shall meet with any district covered by the provisions of this subdivision prior
34 to the district submitting any element of an accountability compliance statement, so that
35 the department may identify elements of the settlement agreement academic improvement
36 plan that are substantially similar to the requirements contained in this section, and the
37 department shall advise such district if, based on its review, any further plan or reporting
38 of such plans or elements is required; and

39 **(5) Require school boards of each district to annually review the school discipline**
40 **provisions contained in section 160.261, and sections 167.023, 167.026, 167.117, 167.161 to**
41 **167.171 and 167.335, RSMo, and ensure that the district's discipline policies are consistent**
42 **with the above listed sections.**

43 **4. The comprehensive strategy for addressing areas of deficiency required pursuant**
44 **to this section shall address the following areas:**

45 **(1) Align curriculum to address areas of deficiency in student achievement;**

46 **(2) Develop, for any student who is not receiving special education services under**
47 **an individualized education plan pursuant to sections 162.670 to 162.699, RSMo, who is**
48 **performing at a level not determined or at the lowest level of proficiency in any subject**
49 **area under the statewide assessment established pursuant to section 160.518, an individual**
50 **performance plan in that subject area which shall:**

51 **(a) Be developed by the teacher or teachers in consultation with the child's parent,**
52 **guardian, or other adult responsible for the student's education;**

53 **(b) Outline responsibilities for the student, parent, guardian, or other adult**
54 **responsible for the student's education, teachers, and administrators in implementing the**
55 **plan. Such plans shall not require the level of documentation and procedural complexities**
56 **of an individualized education plan pursuant to sections 162.670 to 162.699, RSMo, but**
57 **shall contain sufficient detail for all parties to understand their responsibilities in the**
58 **implementation of the student's performance plan;**

59 **(c) State that the student's parent, guardian, or other adult responsible for the**
60 **student's education shall act in good faith to implement the student performance plan and**
61 **make reasonable efforts to meet with the teacher when requested or required by the plan;**
62 **and**

63 **(d) Require those students performing at a level not determined or at the lowest**
64 **level of proficiency in any subject area under the statewide assessment established**
65 **pursuant to section 160.518 to be provided with additional instruction time and for**
66 **students in grade nine to eleven to retake the assessment;**

67 **(3) Focus state and local professional development funds on the areas of greatest**
68 **academic need, including a statement relating to accessing the resources and services of the**
69 **regional professional development center and support from state professional development**
70 **funds;**

71 **(4) Create programs to improve teacher and administrator effectiveness;**

72 **(5) Establish school accountability councils consistent with the procedures stated**
73 **in subsection 5 of section 160.538 or align any existing parent advisory council with the**
74 **requirements of subsection 5 of section 160.538;**

75 **(6) Develop a resource reallocation plan for the district; and**
76 **(7) Consider the need to implement strategies pursuant to this subsection for feeder**
77 **schools of any priority school.**

78 **5. The school district shall include in any program for improvement of teacher and**
79 **administrator effectiveness in an accountability compliance statement policies that will:**

80 **(1) Require school administrators and teachers, including teachers who are**
81 **provisionally or temporarily certified, to participate in one of the following programs of**
82 **professional development:**

83 **(a) A mentoring program meeting standards established by the state board of**
84 **education or supervised by an individual previously designated by the department of**
85 **elementary and secondary education as a regional resource teacher;**

86 **(b) Successful completion of a training program for certification as a scorer under**
87 **the statewide assessment program authorized pursuant to section 160.518; or**

88 **(c) Enrollment and making adequate progress towards national board certification;**

89 **(2) Provide one additional year of intensive professional development assistance to**
90 **teachers and administrators who do not complete or make adequate progress in the**
91 **professional development activities described in subdivision (1) of this subsection;**

92 **(3) Exempt from the professional development requirements accountability**
93 **compliance statement as provided in subdivision (1) of this subsection any individual who:**

94 **(a) Holds qualifying scores in the appropriate professional assessment as**
95 **determined by the state board of education or who elects to take and receive a qualifying**
96 **score of that assessment;**

97 **(b) Holds national board certification;**

98 **(c) Is certified as a scorer under the statewide assessment program;**

99 **(d) Is designated by the department of elementary and secondary education as a**
100 **regional resource teacher;**

101 **(e) Serves as a mentor teacher for one school year in a program meeting standards**
102 **adopted by the state board of education; or**

103 **(f) Successfully completes an appropriate administrator academy program offered**
104 **pursuant to section 168.407, RSMo;**

105 **6. Any resource reallocation plan shall include at least one of the following**
106 **elements:**

107 **(1) Reduce class size in areas of academic concern;**

108 **(2) Establish full-day kindergarten or preschool programs;**

109 **(3) Establish after-school, tutoring and other programs offering extended time for**
110 **learning;**

(4) Employ regional resource teachers designated by the department of elementary and secondary education or national board-certified teachers, along with appropriate salary enhancements for such teachers;

(5) Establish programs of teacher home visitation to encourage parental support of student learning; and

(6) Create "school within a school" programs to achieve smaller learning communities within priority schools.

7. The state board of education shall establish by administrative rule standards to evaluate accountability compliance statements, based upon the following criteria:

(1) An accountability compliance statement shall be submitted to the department of elementary and secondary education on or before August fifteenth following any school year in which a school district meets the criteria established under subsection 2 of this section;

(2) The department of elementary and secondary education shall review and identify areas of deficiency in the plan within thirty days of receipt; and

(3) Changes to the plan shall be forwarded to the department of elementary and secondary education within thirty days of notice to the district of the areas of deficiency.

8. The department of elementary and secondary education shall withhold funds to be paid to the school district, as authorized in section 163.031, RSMo, until such time as the district submits an accountability compliance statement meeting the standards authorized pursuant to this section within the timelines established herein.

9. The department of elementary and secondary education shall develop within three years of the adoption of this section a program of administrator mentoring focusing on the need of priority schools and priority school districts and meeting standards established by the state board of education.

10. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo.

11. In any school year in which the school funding formula has a proration factor on line 1(b) of less than 0.9, the provisions of subsections 2 to 9 of this section relating to priority schools and priority school districts shall not be enforced. For any school year in which funding of the school aid formula at the level stated in this subsection appears to be in doubt after all appropriations bills are truly agreed and finally passed, the house budget chair and the senate appropriations chair shall send a joint letter to the commissioner of education by August fifteenth, notifying the department of elementary and secondary education of the likelihood that funding would be below the limit stated in this subsection

147 **and requesting that the department not enforce subsections 2 to 9 of this section unless and**
148 **until the department's calculations for the first "live" school aid payment of the school**
149 **year show that the formula will have a proration factor on line 1(b) of no less than 0.9.**

161.092. The state board of education shall:

- 2 (1) Adopt rules governing its own proceedings and formulate policies for the guidance
3 of the commissioner of education and the department of elementary and secondary education;
- 4 (2) Carry out the educational policies of the state relating to public schools that are
5 provided by law and supervise instruction in the public schools;
- 6 (3) Direct the investment of all moneys received by the state to be applied to the capital
7 of any permanent fund established for the support of public education within the jurisdiction of
8 the department of elementary and secondary education and see that the funds are applied to the
9 branches of educational interest of the state that by grant, gift, devise or law they were originally
10 intended, and if necessary institute suit for and collect the funds and return them to their
11 legitimate channels;
- 12 (4) Cause to be assembled information which will reflect continuously the condition and
13 management of the public schools of the state;
- 14 (5) Require of county clerks or treasurers, boards of education or other school officers,
15 recorders and treasurers of cities, towns and villages, copies of all records required to be made
16 by them and all other information in relation to the funds and condition of schools and the
17 management thereof that is deemed necessary;
- 18 (6) Provide blanks suitable for use by officials in reporting the information required by
19 the board;
- 20 (7) When conditions demand, cause the laws relating to schools to be published in a
21 separate volume, with pertinent notes and comments, for the guidance of those charged with the
22 execution of the laws;
- 23 (8) Grant, without fee, certificates of qualification and licenses to teach in any of the
24 public schools of the state, establish requirements therefor, formulate regulations governing the
25 issuance thereof, **including, upon an appropriate background check, provisional**
26 **certification to a person who holds a valid teaching certificate from another state and has**
27 **five years of teaching experience in the same school district in the curriculum area and**
28 **approximate grade level in another state, providing for full certification upon the**
29 **satisfactory completion of five years of teaching in Missouri public schools,** and cause the
30 certificates to be revoked for the reasons and in the manner provided in section 168.071, RSMo;
- 31 (9) Classify the public schools of the state, subject to limitations provided by law,
32 establish requirements for the schools of each class, and formulate rules governing the inspection
33 and accreditation of schools preparatory to classification;

34 (10) Make an annual report on or before the first Wednesday after the first day of January
35 to the general assembly or, when it is not in session, to the governor for publication and
36 transmission to the general assembly. The report shall be for the last preceding school year, and
37 shall include: (a) a statement of the number of public schools in the state, the number of pupils
38 attending the schools, their sex, and the branches taught; (b) a statement of the number of
39 teachers employed, their sex, their professional training, and their average salary; (c) a statement
40 of the receipts and disbursements of public school funds of every description, their sources, and
41 the purposes for which they were disbursed; (d) suggestions for the improvement of public
42 schools; and (e) any other information relative to the educational interests of the state that the
43 law requires or the board deems important;

44 **(11) Make an annual report to the general assembly and the governor concerning**
45 **coordination with other agencies and departments of government that support family**
46 **literacy programs and other services which influence educational attainment of children**
47 **of all ages;**

48 [(11)] (12) Require from the chief officer of each division of the department of
49 elementary and secondary education, on or before the thirty-first day of August of each year,
50 reports containing information the board deems important and desires for publication;

51 [(12)] (13) Cause fifty copies of its annual report to be reserved for the use of each
52 division of the state department of elementary and secondary education, and ten copies for
53 preservation in the state library;

54 [(13)] (14) Have other powers and duties prescribed by law.

163.011. As used in this chapter unless the context requires otherwise:

2 (1) "Adjusted gross income":

3 (a) "District adjusted gross income per return" shall be the total Missouri individual
4 adjusted gross income in a school district divided by the total number of Missouri income tax
5 returns filed from the school district as reported by the state department of revenue for the second
6 preceding year;

7 (b) "State adjusted gross income per return" shall be the total Missouri individual
8 adjusted gross income divided by the total number of Missouri individual income tax returns,
9 of those returns designating school districts, as reported by the state department of revenue for
10 the second preceding year;

11 (c) "District income factor" shall be one plus thirty percent of the difference of the
12 district income ratio minus one, except that the district income factor applied to the portion of
13 the assessed valuation corresponding to any increase in assessed valuation above the assessed
14 valuation of a district as of December 31, 1994, shall not exceed a value of one;

15 (d) "District income ratio" shall be the ratio of the district adjusted gross income per

16 return divided by the state adjusted gross income per return;

17 (2) "Adjusted operating levy", the sum of tax rates for the current year for teachers' and
18 incidental funds for a school district as reported to the proper officer of each county pursuant to
19 section 164.011, RSMo;

20 (3) "Average daily attendance" means the quotient or the sum of the quotients obtained
21 by dividing the total number of hours attended in a term by resident pupils between the ages of
22 five and twenty-one by the actual number of hours school was in session in that term. To the
23 average daily attendance of the following school term shall be added the full-time equivalent
24 average daily attendance of summer school students. "Full-time equivalent average daily
25 attendance of summer school students" shall be computed by dividing the total number of hours
26 attended by all summer school pupils by the number of hours required in section 160.011,
27 RSMo, in the school term. For purposes of determining average daily attendance under this
28 subdivision, the term "resident pupil" shall include all children between the ages of five and
29 twenty-one who are residents of the school district and who are attending kindergarten through
30 grade twelve in such district. If a child is attending school in a district other than the district of
31 residence and the child's parent is teaching in the school district or is a regular employee of the
32 school district which the child is attending, then such child shall be considered a resident pupil
33 of the school district which the child is attending for such period of time when the district of
34 residence is not otherwise liable for tuition. Average daily attendance for students below the age
35 of five years for which a school district may receive state aid based on such attendance shall be
36 computed as regular school term attendance unless otherwise provided by law;

37 (4) "Current operating costs", all expenditures for instruction and support services
38 excluding capital outlay and debt service expenditures less the revenue from federal categorical
39 sources, food service, student activities and payments from other districts;

40 (5) **"District equalized assessed valuation" shall be the average of the "equalized**
41 **assessed valuation of the property of a school district" for the first and second preceding**
42 **years;**

43 (6) "District's target rate", the district's average percentage of pupils from fiscal years
44 2000 to 2005 scoring at or above the proficiency level on the statewide assessment system on
45 either mathematics or reading/communication arts plus one percentage point for each year after
46 fiscal year 2005 except that the district's target rate shall not exceed the statewide average
47 percentage from fiscal year 2000 to fiscal year 2005 scoring at or above the proficiency level on
48 the statewide assessment system on either mathematics or reading/communication arts;

49 [(6)] (7) "District's tax rate ceiling", the highest tax rate ceiling in effect subsequent to
50 the 1980 tax year or any subsequent year. Such tax rate ceiling shall not contain any tax levy for
51 debt service;

52 [(7)] (8) "Eligible pupils" shall be the sum of the average daily attendance of the school
53 term plus the product of two times the average daily attendance for summer school;

54 [(8)] (9) "Equalized assessed valuation of the property of a school district" **for a given**
55 **year** shall be determined by multiplying the assessed valuation of the real property subclasses
56 specified in section 137.115, RSMo, times the percent of true value as adjusted by the
57 department of elementary and secondary education to an equivalent sales ratio of thirty-three and
58 one-third percent and dividing by either the percent of true value as determined by the state tax
59 commission on or before March fifteenth preceding the fiscal year in which the valuation will
60 be effective as adjusted by the department of elementary and secondary education to an
61 equivalent sales ratio of thirty-three and one-third percent or the average percent of true value
62 for the highest three of the last four years as determined and certified by the state tax
63 commission, whichever is greater. To the equalized locally assessed valuation of each district
64 shall be added the assessed valuation of tangible personal property. The assessed valuation of
65 property which has previously been excluded from the tax rolls, which is being contested as not
66 being taxable and which increases the total assessed valuation of the school district by fifty
67 percent or more, shall not be included in the calculation of equalized assessed valuation under
68 this subdivision;

69 [(9)] (10) "Fiscal instructional ratio of efficiency", the quotient of the sum of the district's
70 current operating costs for all kindergarten through grade twelve direct instructional and direct
71 pupil support service functions plus the costs of improvement of instruction and the cost of
72 purchased services and supplies for operation of the facilities housing those programs, excluding
73 student activities, divided by the sum of the district's current operating cost for kindergarten
74 through grade twelve, plus all tuition revenue received from other districts minus all noncapital
75 transportation costs;

76 [(10)] (11) "Free and reduced lunch eligible pupil count", the number of pupils eligible
77 for free and reduced lunch on the last Wednesday in January for the preceding school year who
78 were enrolled as students of the district, as approved by the department in accordance with
79 applicable federal regulations;

80 [(11)] (12) "Guaranteed tax base" means the amount of equalized assessed valuation per
81 eligible pupil guaranteed each school district by the state in the computation of state aid. To
82 compute the guaranteed tax base, school districts shall be ranked annually from lowest to highest
83 according to the amount of equalized assessed valuation per pupil. The guaranteed tax base shall
84 be based upon the amount of equalized assessed valuation per pupil of the school district in
85 which the ninety-fifth percentile of the state aggregate number of pupils falls during the third **and**
86 **fourth** preceding [year] **years** and shall be equal to the state average equalized assessed
87 valuation per eligible pupil for the third **and fourth** preceding [year] **years** times two and one

88 hundred and sixty-seven thousandths; except that, for the purposes of line 14(b) the guaranteed
89 tax base shall be no greater than the guaranteed tax base used for the 1998-99 payment year. The
90 average equalized assessed valuation per pupil shall be the quotient of the total equalized
91 assessed valuation of the state divided by the number of eligible pupils;

92 [(12)] (13) "Membership" shall be the average of (1) the number of resident full-time
93 students and the full-time equivalent number of part-time students who were enrolled in the
94 public schools of the district on the last Wednesday in September of the previous year and who
95 were in attendance one day or more during the preceding ten school days and (2) the number of
96 resident full-time students and the full-time equivalent number of part-time students who were
97 enrolled in the public schools of the district on the last Wednesday in January of the previous
98 year and who were in attendance one day or more during the preceding ten school days, plus the
99 full-time equivalent number of summer school pupils. "Full-time equivalent number of part-time
100 students" is determined by dividing the total number of hours for which all part-time students
101 are enrolled by the number of hours in the school term. "Full-time equivalent number of summer
102 school pupils" is determined by dividing the total number of hours for which all summer school
103 pupils were enrolled by the number of hours required pursuant to section 160.011, RSMo, in the
104 school term. Only students eligible to be counted for average daily attendance shall be counted
105 for membership;

106 [(13)] (14) "Operating levy for school purposes" for districts making transfers pursuant
107 to subsection 4 of section 165.011, RSMo, based upon amounts multiplied by the guaranteed tax
108 base, or making payments or expenditures related to obligations made pursuant to section
109 177.088, RSMo, or any combination of such transfers, payments or expenditures, means the sum
110 of tax rates levied for teachers' and incidental funds plus the operating levy or sales tax
111 equivalent pursuant to section 162.1100, RSMo, of any transitional school district containing the
112 school district, in the payment year, and, for other districts, means the sum of tax rates levied for
113 incidental, teachers', debt service and capital projects funds plus the operating levy or sales tax
114 equivalent pursuant to section 162.1100, RSMo, of any transitional school district containing the
115 school district, with no more than eighteen cents of the sum levied in the debt service and capital
116 projects funds. Any portion of the operating levy for school purposes levied in the debt service
117 and capital projects funds in excess of a sum of ten cents must be authorized by a vote of the
118 people, after August 28, 1998, approving an increase in the operating levy, or a full waiver of the
119 rollback pursuant to section 164.013, RSMo, with a tax rate ceiling in excess of the minimum
120 tax rate or an issuance of general obligation bond. The operating levy shall be, after all
121 adjustments and equalization of the operating levy, no greater than a maximum value of four
122 dollars and ninety-five cents per one hundred dollars assessed valuation, except that the operating
123 levy shall be no greater than a maximum value of four dollars and seventy cents per one hundred

dollars assessed valuation for the purposes of line 2 of subsection 6 of section 163.031. To equalize the operating levy, multiply the aggregate tax rates for teachers' and incidental funds by either the percent of true value, as determined by the state tax commission on or before March fifteenth preceding the fiscal year in which the evaluation will be effective as adjusted by the department of elementary and secondary education to an equivalent sales ratio of thirty-three and one-third percent, or the average percent of true value for the highest three of the last four years as determined and certified by the state tax commission, whichever is greater, and divide by the percent of true value as adjusted by the department of elementary and secondary education to an equivalent sales ratio of thirty-three and one-third percent, provided that for any district for which the equivalent sales ratio is equal to or greater than thirty-three and one-third percent, the equalized operating levy shall be the adjusted operating levy. For any county in which the equivalent sales ratio is less than thirty-one and two-thirds percent, the state tax commission shall conduct a second study in that county and shall use a sample consisting of the parcels used as a sample in the original study combined with an equal number of newly selected parcels. If the new ratio is higher than the original ratio provided by this subdivision, the new ratio shall be used for the purposes of this subdivision and for determining equalized assessed valuation pursuant to subdivision [(8)] (9) of this section. For the purposes of calculating state aid pursuant to section 163.031, for any district which has not decreased its tax rate from the previous year amount due to an increased amount of a voluntary tax rate rollback, the tax rate used to determine a district's entitlement shall be adjusted so that any decrease in the entitlement due to a decrease in the tax rate resulting from the reassessment shall equal the decrease in the deduction for the assessed valuation of the district as a result of the change in the tax rate due to reassessment. The tax rate adjustments required under this subdivision due to reassessment shall be cumulative and shall be applied each year to determine the tax rate used to calculate the entitlement;

[(14)] (15) "School purposes" pertains to teachers' and incidental funds;

[(15)] (16) "Teacher" means any teacher, teacher-secretary, substitute teacher, supervisor, principal, supervising principal, superintendent or assistant superintendent, school nurse, social worker, counselor or librarian who shall, regularly, teach or be employed for no higher than grade twelve more than one-half time in the public schools and who is certified under the laws governing the certification of teachers in Missouri.

163.036. 1. In computing the amount of state aid a school district is entitled to receive under section 163.031, a school district may use an estimate of the number of eligible pupils for the ensuing year, the number of eligible pupils for the immediately preceding year or the number of eligible pupils for the second preceding school year, whichever is greater. Except as otherwise provided in subsection 3 of this section, any error made in the apportionment of state aid because

6 of a difference between the actual number of eligible pupils and the estimated number of eligible
7 pupils shall be corrected as provided in section 163.091, except that if the amount paid to a
8 district estimating eligible pupils exceeds the amount to which the district was actually entitled
9 by more than five percent, interest at the rate of six percent shall be charged on the excess and
10 shall be added to the amount to be deducted from the district's apportionment the next
11 succeeding year.

12 2. Notwithstanding the provisions of subsection 1 of this section or any other provision
13 of law, the state board of education shall make an adjustment for the immediately preceding year
14 for any increase in the actual number of eligible pupils above the number on which the state aid
15 in section 163.031 was calculated. Said adjustment shall be made in the manner providing for
16 correction of errors under subsection 1 of this section.

17 3. (1) For any district which has, for at least five years immediately preceding the year
18 in which the error is discovered, adopted a calendar for the school term in which elementary
19 schools are in session for twelve months of each calendar year, any error made in the
20 apportionment of state aid to such district because of a difference between the actual number of
21 eligible pupils and the estimated number of eligible pupils shall be corrected as provided in
22 section 163.091 and subsection 1 of this section, except that if the amount paid exceeds the
23 amount to which the district was actually entitled by more than five percent and the district
24 provides written application to the state board requesting that the deductions be made pursuant
25 to subdivision (2) of this subsection, then the amounts shall be deducted pursuant to subdivision
26 (2) of this subsection.

27 (2) For deductions made pursuant to this subdivision, interest at the rate of six percent
28 shall be charged on the excess and shall be included in the amount deducted and the total amount
29 of such excess plus accrued interest shall be deducted from the district's apportionment in equal
30 monthly amounts beginning with the succeeding school year and extending for a period of
31 months specified by the district in its written request and no longer than sixty months.

32 4. For the purposes of distribution of state school aid pursuant to section 163.031, a
33 school district may elect to use the district's equalized assessed valuation for the preceding year,
34 or an estimate of the current year's assessed valuation if the current year's equalized assessed
35 valuation is estimated to be more than ten percent less than the district's equalized assessed
36 valuation for the preceding year. A district shall give prior notice to the department of its
37 intention to use the current year's assessed valuation pursuant to this subsection. Any error made
38 in the apportionment of state aid because of a difference between the actual equalized assessed
39 valuation for the current year and the estimated equalized assessed valuation for the current year
40 shall be corrected as provided in section 163.091, except that if the amount paid to a district
41 estimating current equalized assessed valuation exceeds the amount to which the district was

42 actually entitled, interest at the rate of six percent shall be charged on the excess and shall be
43 added to the amount to be deducted from the district's apportionment the next succeeding year.

44 **5. For the purposes of distribution of state school aid pursuant to section 163.031,**
45 **a school district with ten percent or more of its assessed valuation that is owned by one**
46 **person or corporation as commercial or personal property who is delinquent in a property**
47 **tax payment may elect, after receiving notice from the county clerk on or before March**
48 **fifteenth, except in the year enacted, that more than ten percent of its current taxes due the**
49 **preceding December thirty-first by a single property owner are delinquent, to use on line**
50 **2 of the state aid formula the district's equalized assessed valuation for the preceding year**
51 **or the actual assessed valuation of the year for which the taxes are delinquent less the**
52 **assessed valuation of property for which the current year's property tax is delinquent. To**
53 **qualify for use of the actual assessed valuation of the year for which the taxes are**
54 **delinquent less the assessed valuation of property for which the current year's property tax**
55 **is delinquent, a district must notify the department of elementary and secondary education**
56 **on or before April first, except in the year enacted, of the current year amount of**
57 **delinquent taxes, the assessed valuation of such property for which delinquent taxes are**
58 **owed and the total assessed valuation of the district for the year in which the taxes were**
59 **due but not paid. Any district giving such notice to the department of elementary and**
60 **secondary education shall present verification of the accuracy of such notice obtained from**
61 **the clerk of the county levying delinquent taxes. When any of the delinquent taxes**
62 **identified by such notice are paid during a four year period following the due date, the**
63 **county clerk shall give notice to the district and the department of elementary and**
64 **secondary education, and state aid paid to the district shall be reduced by an amount equal**
65 **to the delinquent taxes received plus interest. The reduction in state aid shall occur over**
66 **a period not to exceed five years and the interest rate on excess state aid not refunded shall**
67 **be six percent annually.**

68 **6. If a district receives state aid based on equalized assessed valuation as**
69 **determined by subsection 5 of this section and if prior to such notice the district was paid**
70 **state aid pursuant to subdivision (2) of subsection 5 of section 163.031, the amount of state**
71 **aid paid during the year of such notice and the first year following shall equal the sum of**
72 **state aid paid pursuant to line 1 minus line 10 as defined in subsections 1, 2, 3 and 6 of**
73 **section 163.031 plus the difference between the state aid amount being paid after such**
74 **notice minus the amount of state aid the district would have received pursuant to line 1**
75 **minus line 10 as defined in subsections 1, 2, 3 and 6 of section 163.031 before such notice.**
76 **To be eligible to receive state aid based on this provision the district must levy during the**
77 **first year following such notice at least the maximum levy permitted school districts by**

78 **article X, section 11(b) of the Missouri Constitution and have a voluntary rollback of its**
79 **tax rate which is no greater than one cent per one hundred dollars assessed valuation.**

166.260. There is hereby created the "Children At-Risk in Education Program" which
2 shall be administered by the commissioner of education. The program shall be funded by
3 moneys provided to school districts pursuant to line 14 of subsection 6 of section 163.031,
4 RSMo, and used solely as determined by local boards of education for: reductions of class size
5 in schools containing high concentrations of children who are least advantaged or who have
6 specially identified educational needs according to rule and regulation of the state board of
7 education; or the following:

8 (1) The program of half-day instruction for developmentally delayed and at-risk children
9 established pursuant to section 167.260, RSMo;

10 (2) The program to provide teacher assistants in grades kindergarten through three
11 established pursuant to section 167.263, RSMo;

12 **(3) The program of family literacy for children and families of children at risk of**
13 **dropping out of school pursuant to section 160.531, RSMo;**

14 [(3)] (4) The program to provide guidance counselors in grades kindergarten through
15 nine established pursuant to section 167.265, RSMo;

16 [(4)] (5) The programs for pupils at risk of becoming high school dropouts established
17 pursuant to section 167.270, RSMo, including specialized courses of instruction, alternative
18 education programs for pregnant teens and teen mothers and supplemental services for teen
19 mothers;

20 [(5)] (6) The program of support services to pupils identified as having a high risk of
21 dropping out of school established pursuant to section 167.280, RSMo;

22 [(6)] (7) The program of professional development committees for in-service training
23 on teaching children identified as at risk of failing in school pursuant to section 168.400, RSMo;

24 [(7)] (8) A program to contract for mental health services to meet the needs of children
25 who are identified as being at risk of failing school as a result of emotional or environmental
26 factors. Eligible contractors shall be approved by the department of mental health;

27 [(8)] (9) The program of special education and other special services for at-risk and
28 handicapped children in grades kindergarten through third grade emphasizing prevention and
29 early intervention, rather than remediation, known as the "Success for All Program";

30 [(9)] (10) Paying for building site operating costs in the proportion that the free and
31 reduced-price meal eligible student count is to the total enrollment in that building; and

32 [(10)] (11) Other programs as approved by the commissioner of education that are
33 exclusively targeted to provide educational services for students who are least advantaged or who
34 have specially identified educational needs.

168.400. 1. Sections 168.400 to 168.415 shall be known and may be cited as the "Missouri Professional Teacher and Administrator Act". This section shall become effective September 1, 1988, and shall establish programs for the following public school personnel:

- (1) The preservice teacher or student in training;
- (2) The beginning teacher;
- (3) The practicing teacher; and
- (4) The administrator.

2. Preservice teacher programs established under this section shall include, but need not be limited to, the following provisions:

(1) A program of entry-level testing of all prospective teacher education students shall be established at all colleges and universities offering approved teacher education programs and, with the advice of the advisory council as provided in section 168.015, shall be administered by the commissioner of education, who shall cause the department of elementary and secondary education to develop or select such tests to establish abilities necessary to receive a satisfactory rating, and to establish procedures for the administering of the test;

(2) The entry-level tests developed under this subsection shall include, but need not be limited to, an examination of basic oral and written communication skills and of basic mathematics skills, and may include both oral and written examinations;

(3) Each prospective teacher education student shall be required to obtain a satisfactory rating prior to admission into the approved teacher education program;

(4) The department of elementary and secondary education, with the advice of the advisory council as provided in section 168.015, shall establish and monitor exit requirements from approved teacher education programs which shall be met by all preservice teacher education students seeking certification in Missouri, and specific criteria for a preservice teacher assessment that all candidates for certification shall meet. The preservice teacher assessment established under this subdivision shall include, but need not be limited to, classroom achievement, practice teaching evaluation and observation, successful participation in assessment centers, interviews, tests and other evaluation measures. **The department of elementary and secondary education shall promulgate rules to allow all preservice teacher education students who have been employed for at least two years as teacher assistants to utilize their teacher assistant experience to bypass the practice teaching evaluation and observation process. These rules shall allow the certified teacher working with the teacher assistant to observe and evaluate the teacher assistants practice teaching. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo.** The preservice teacher assessment shall be reviewed by the certifying authority prior to issuance of a certificate. An unsatisfactory

37 assessment shall result in the nonissuance of a certificate. Persons who are aggrieved by the
38 nonissuance of a certificate may appeal such nonissuance in the manner provided in section
39 168.071. Any costs associated with the entry-level tests or the exit requirements established
40 under this subsection shall be borne by each institution and costs defrayal included in the
41 incidental fees charged to the student.

42 3. Each approved teacher education program shall require the faculty teaching preservice
43 teacher education courses to further their professional development through direct personal
44 involvement in the public schools in grades kindergarten through twelve on a periodic basis. As
45 used in this subsection, the term "faculty" shall include, but need not be limited to, full- and
46 part-time classroom instructors, and supervisors of practice teaching at institutions offering an
47 approved teacher education program.

48 4. Beginning teacher assistance programs established under this section shall include,
49 but need not be limited to, the following provisions:

50 (1) Such programs shall require each school district to provide a plan of professional
51 development for the first two years of teaching for any teacher who does not have prior teaching
52 experience. The professional development plan shall include assistance from a professional
53 development committee, which is hereby established in each school district, which committee
54 shall work with beginning teachers and experienced teachers in identifying instructional concerns
55 and remedies; serve as a confidential consultant upon a teacher's request; assess faculty needs
56 and develop in-service opportunities for school staff; and present to the proper authority faculty
57 suggestions, ideas and recommendations pertaining to classroom instruction within the school
58 district. The members of each professional development committee shall be selected by the
59 teachers employed by the school district in question. The professional development plan may
60 include guidance from a district-designated faculty member employed at a grade level
61 comparable to the instructional grade level of the beginning teacher, and such other forms of
62 assistance which the school district may choose to offer. The professional development
63 committee may apply to the state board of education for a grant, which shall be in addition to any
64 state aid provided to the committee for activities identified in this subdivision. The grant thus
65 awarded shall be used by the committee to provide in-service training to the teachers of the
66 district on teaching children identified as at risk of failing in school as defined in section
67 167.273. The department of elementary and secondary education shall provide resource
68 materials and assist the committee if such assistance is requested;

69 (2) Such programs shall include assistance from the teacher education program which
70 provided the teacher's training if such training was provided in a Missouri college or university.
71 Such assistance from the college or university may include retraining, internships, counseling,
72 and in-service training.

73 5. The practicing teacher assistance programs established under this section shall
74 include, but need not be limited to, programs of professional development and improvement as
75 provided for experienced teachers by the professional development committee established under
76 subsection 4 of this section, and in-service opportunities as provided by the local school district
77 for all practicing teachers.

78 6. (1) The administrator assistance programs established under this section shall include,
79 but shall not be limited to, programs of professional development and improvement for
80 superintendents, principals, assistant principals, and other school district personnel charged with
81 administrative duties.

82 (2) Establishment of programs by local districts and organizations for the training of
83 school board members are encouraged and recommended.

170.014. 1. This section shall be known as the "Reading Instruction Act" and is
2 **enacted to ensure that all public schools establish reading programs in kindergarten**
3 **through grade three based in scientific research. Such programs shall include the essential**
4 **components of phonemic awareness, phonics, fluency, vocabulary, and comprehension, and**
5 **all new teachers who teach reading in kindergarten through grade three shall receive**
6 **adequate training in these areas.**

7 **2. The program described in subsection 1 of this section may include "explicit**
8 **systematic phonics", which, for the purposes of this section, shall mean the methodology**
9 **of pronouncing and reading words by learning the phonetic sound association of individual**
10 **letters, letter groups, and syllables, and the principles governing these associations.**

11 **3. Every public school in the state shall offer a reading program as described in**
12 **subsection 1 of this section for kindergarten through grade three.**