

FIRST REGULAR SESSION

# HOUSE BILL NO. 378

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE COOPER (120).

Read 1<sup>st</sup> time January 27, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0612L.011

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### AN ACT

To repeal section 167.131, RSMo, and to enact in lieu thereof one new section relating to school district tuition adjustments.

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

Section A. Section 167.131, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 167.131, to read as follows:

167.131. 1. The board of education of each district in this state that does not maintain an accredited school pursuant to the authority of the state board of education to classify schools as established in section 161.092, RSMo, shall pay the tuition of and provide transportation consistent with the provisions of section 167.241, RSMo, for each pupil resident therein who attends an accredited school in another district of the same or an adjoining county.

2. **When the reason for the lack of accreditation results from the district losing its accredited status through the Missouri School Improvement Program or successor improvement program**, the rate of tuition to be charged by the district attended and paid by the sending district is the per pupil cost of maintaining the district's grade level grouping which includes the school attended. The cost of maintaining a grade level grouping shall be determined by the board of education of the district but in no case shall it exceed all amounts spent for teachers' wages, incidental purposes, debt service, maintenance and replacements. The term "debt service", as used in this section, means expenditures for the retirement of bonded indebtedness and expenditures for interest on bonded indebtedness. Per pupil cost of the grade level grouping shall be determined by dividing the cost of maintaining the grade level grouping by the average daily pupil attendance. If there is disagreement as to the amount of tuition to be

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.

17 paid, the facts shall be submitted to the state board of education, and its decision in the matter  
18 shall be final. Subject to the limitations of this section, each pupil shall be free to attend the  
19 public school of his or her choice.

20 **3. When a district maintains its overall accreditation and the lack of an accredited**  
21 **school for a particular grade or grades is the reason for a student attending school in**  
22 **another district, the sending district shall be responsible for paying tuition, calculated as**  
23 **prescribed by subsection 2 of this section, at the lowest rate afforded by any other district**  
24 **in the same or adjoining county. The parent or guardian of the student may elect to send**  
25 **the student to any of the qualifying receiving districts if the parent or guardian makes up**  
26 **the difference between that district's tuition and the amount the sending district is required**  
27 **to pay.**