

FIRST REGULAR SESSION

HOUSE BILL NO. 471

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES AULL (Sponsor), ASBURY, ELLINGER, QUINN, ANDERS, BLACK, COX, NANCE, ROWLAND, LARGENT, HOSKINS, HOLSMAN, McGHEE, LOEHNER, WELLS, THOMSON, CONWAY (27), BROWN (50), CASEY, FALLERT, SWINGER, HOUGHTON, LAMPE, WALTON GRAY, CARTER, FITZWATER, MEADOWS, NEWMAN, SHIVELY, SCHIEFFER, STREAM, DIECKHAUS AND McNARY (Co-sponsors).

1396L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 171.033, RSMo, and to enact in lieu thereof one new section relating to school days missed due to inclement weather, with an emergency clause.

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

Section A. Section 171.033, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 171.033, to read as follows:

171.033. 1. "Inclement weather", for purposes of this section, shall be defined as ice, snow, extreme cold, flooding, or a tornado, but such term shall not include excessive heat.

2. **Except as provided in subsection 5 of this section**, a district shall be required to make up the first six days of school lost or canceled due to inclement weather and half the number of days lost or canceled in excess of six days if the makeup of the days is necessary to ensure that the district's students will attend a minimum of one hundred forty-two days and a minimum of one thousand forty-four hours for the school year except as otherwise provided in this section. Schools with a four-day school week may schedule such make-up days on Fridays.

3. In the 2008-09 school year a school district may be exempt from the requirement to make up days of school lost or canceled due to inclement weather in the school district when the school district has made up the six days required under subsection 2 of this section and half the number of additional lost or canceled days up to eight days, resulting in no more than ten total make-up days required by this section.

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.

14 4. In the 2009-10 school year and subsequent years, a school district may be exempt from
15 the requirement to make up days of school lost or canceled due to inclement weather in the
16 school district when the school district has made up the six days required under subsection 2 of
17 this section and half the number of additional lost or canceled days up to eight days, resulting in
18 no more than ten total make-up days required by this section.

19 5. **Notwithstanding any other law, in the 2010-2011 school year, no school district**
20 **shall be required to make up any days missed for inclement weather during the week of**
21 **January 31, 2011, to February 4, 2011, the time period in which the governor declared a**
22 **statewide emergency.**

23 6. The commissioner of education may provide, for any school district in which schools
24 are in session for twelve months of each calendar year that cannot meet the minimum school
25 calendar requirement of at least one hundred seventy- four days for schools with a five-day
26 school week or one hundred forty-two days for schools with a four-day school week and one
27 thousand forty-four hours of actual pupil attendance, upon request, a waiver to be excused from
28 such requirement. This waiver shall be requested from the commissioner of education and may
29 be granted if the school was closed due to circumstances beyond school district control,
30 including inclement weather, flooding or fire.

 Section B. Because immediate action is necessary to clarify potential school scheduling
2 and funding problems, section A of this act is deemed necessary for the immediate preservation
3 of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act
4 within the meaning of the constitution, and section A of this act shall be in full force and effect
5 upon its passage and approval.