

SECOND REGULAR SESSION

HOUSE BILL NO. 1294

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES MCNEIL (Sponsor), OTTO, MEREDITH,
ROORDA AND NEWMAN (Co-sponsors).

4240L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 160.053 and 167.131, RSMo, and to enact in lieu thereof six new sections relating to school accreditation.

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

Section A. Sections 160.053 and 167.131, RSMo, are repealed and six new sections enacted in lieu thereof, to be known as sections 160.053, 162.1265, 163.018, 167.131, 167.132, and 167.780, to read as follows:

160.053. 1. **If a school district maintains a prekindergarten program under section 163.018, a child may be eligible for admission to the prekindergarten program only if the child has reached the age of three before the first day of August of the school year beginning in that calendar year.**

2. If a school district maintains a kindergarten program, a child is eligible for admission to kindergarten and to the summer school session immediately preceding kindergarten, if offered, if the child reaches the age of five before the first day of August of the school year beginning in that calendar year or if the child is a military dependent who has successfully completed an accredited prekindergarten program or has attended an accredited kindergarten program in another state. A child is eligible for admission to first grade if the child reaches the age of six before the first day of August of the school year beginning in that calendar year or if the child is a military dependent who has successfully completed an accredited kindergarten program in another state.

[2.] 3. Any kindergarten or grade one pupil beginning the school term and any pupil beginning summer school prior to a kindergarten school term in a metropolitan school district

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.

16 or an urban school district containing the greater part of the population of a city which has more
17 than three hundred thousand inhabitants pursuant to section 160.054 or 160.055 and
18 subsequently transferring to another school district in this state in which the child's birth date
19 would preclude such child's eligibility for entrance shall be deemed eligible for attendance and
20 shall not be required to meet the minimum age requirements. The receiving school district shall
21 receive state aid for the child, notwithstanding the provisions of section 160.051.

22 [3.] 4. Any child who completes the kindergarten year shall not be required to meet the
23 age requirements of a district for entrance into grade one.

24 [4.] 5. The provisions of this section relating to kindergarten instruction and state aid
25 therefor shall not apply during any particular school year to those districts which do not provide
26 kindergarten classes that year.

**162.1265. 1. The department of elementary and secondary education shall develop
2 and implement a grant program for districts that are declared unaccredited and
3 provisionally accredited that commit to extended instructional time for the purpose of
4 improving academic achievement, including but not limited to early childhood education.
5 Such grants shall be for a two-year term and shall be renewable for up to three additional
6 two-year terms.**

7 **2. To be eligible for a grant a school district shall:**

8 **(1) Demonstrate that it has analyzed its current use of instructional time and
9 determined the potential effects of additional instructional time on student academic
10 achievement. The analysis shall also include a study of the potential effects of extended
11 instructional time on assignments of personnel and on the need for professional
12 development; and**

13 **(2) Provide a rationale for the method of adding instructional time, whether it is
14 a longer school year, longer day, fewer days between school years or school terms, or early
15 childhood program, as applied to the chosen target student population which may include
16 an entire school district, particular building, or small group.**

17 **3. Grant award amounts shall be proportional to additional instructional time over
18 the minimum hours required by law and the average daily attendance rate of the affected
19 students. Unaccredited districts shall receive priority.**

20 **4. There is hereby established in the state treasury a fund to be known as the
21 "Extended Instructional Time Fund", which shall consist of all moneys that may be
22 appropriated to it by the general assembly, and in addition may include any gifts,
23 contributions, grants, or bequests received from federal, state, private, or other sources.
24 The fund shall be administered by the department of elementary and secondary education.
25 The state treasurer shall be custodian of the fund and may approve disbursements from**

26 the fund in accordance with sections 30.170 and 30.180. Upon appropriation, moneys in
27 the fund shall be used solely for the administration of the extended instructional time
28 program. Notwithstanding the provisions of section 33.080 to the contrary, any moneys
29 remaining in the fund at the end of the biennium shall not revert to the credit of the
30 general revenue fund. The state treasurer shall invest moneys in the fund in the same
31 manner as other funds are invested. Any interest and moneys earned on such investments
32 shall be credited to the fund.

33 5. Any rule or portion of a rule, as that term is defined in section 536.010, that is
34 created under the authority delegated in this section shall become effective only if it
35 complies with and is subject to all of the provisions of chapter 536 and, if applicable,
36 section 536.028. This section and chapter 536 are nonseverable and if any of the powers
37 vested with the general assembly pursuant to chapter 536 to review, to delay the effective
38 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the
39 grant of rulemaking authority and any rule proposed or adopted after August 28, 2014,
40 shall be invalid and void.

163.018. 1. Notwithstanding the definition of "average daily attendance" in
2 subdivision (2) of section 163.011 to the contrary, pupils between the ages of three and five
3 attending a prekindergarten program that is operated by and in a district that is declared
4 to be provisional or unaccredited under section 161.092 and that is providing full-day
5 kindergarten and that meets standards established by the state board of education, shall
6 be included in the district's calculation of average daily attendance.

7 2. This section shall not require school attendance beyond that mandated under
8 sections 167.031 and 167.132 and shall not change or amend the provisions of sections
9 160.051, 160.053, 160.054, and 160.055 relating to kindergarten attendance.

167.131. 1. The board of education of each district in this state that does not maintain
2 an accredited school for specific grade levels pursuant to the authority of the state board of
3 education to classify schools as established in section 161.092 shall pay [the] tuition [of] as
4 calculated by the receiving district under subsection 2 of this section and provide
5 transportation consistent with the provisions of section 167.241 for each pupil resident therein
6 who attends an accredited school in another district of the same or an adjoining county.

7 2. The rate of tuition to be charged by the district attended and paid by the sending
8 district is the per pupil cost of maintaining the district's grade level grouping which includes the
9 school attended. The cost of maintaining a grade level grouping shall be determined by the board
10 of education of the district but in no case shall it exceed all amounts spent for teachers' wages,
11 incidental purposes, debt service, maintenance and replacements. The term "debt service", as
12 used in this section, means expenditures for the retirement of bonded indebtedness and

13 expenditures for interest on bonded indebtedness. Per pupil cost of the grade level grouping
14 shall be determined by dividing the cost of maintaining the grade level grouping by the average
15 daily pupil attendance. If there is disagreement as to the amount of tuition to be paid, the facts
16 shall be submitted to the state board of education, and its decision in the matter shall be final.
17 Subject to the limitations of this section, each pupil shall be free to attend the public school of
18 his or her choice.

**167.132. 1. Any student enrolled in a school that has met standards on its annual
2 performance report equivalent to the classification of unaccredited under the Missouri
3 school improvement program from the previous school year may elect to transfer to
4 another school located within the student's home district offering the student's grade level
5 of enrollment provided:**

6 **(1) The receiving school has met standards on its annual performance report
7 equivalent to the classification of accredited without provision; and**

8 **(2) The student has attended the resident school for one year, except for children
9 attending kindergarten.**

10 **2. Any student enrolled in a school that has met standards on its annual
11 performance report equivalent to the classification of unaccredited under the Missouri
12 school improvement program from the second previous school year and the previous school
13 year, may elect to transfer to another district in the same or adjacent county provided the
14 following conditions are met:**

15 **(1) The receiving school has met standards on its annual performance report
16 equivalent to the classification of accredited without provisions;**

17 **(2) The receiving school's approved class size for the requested grade level has not
18 been reached; a receiving school may refuse to accept transfer students if approved class
19 size will be exceeded by the admission of transfer students;**

20 **(3) The student has resided within the attendance area of the resident school for
21 one year; and**

22 **(4) The student has attended the resident school for one year, except for children
23 attending kindergarten.**

24 **3. The resident school of a student electing to transfer to a receiving school under
25 the provisions of subsection 2 of this section shall pay reasonable tuition to the receiving
26 school, with the amount to be determined by the department of elementary and secondary
27 education. "Reasonable tuition" under this subsection shall not be more than eighty
28 percent of the per-pupil revenue received by the unaccredited district from state and local
29 sources.**

30 **4. Transportation shall be provided by the resident school to one receiving school.**
31 **If the receiving school is not able to accommodate the number of children wishing to**
32 **attend, a second school may be selected. Transportation to schools other than the**
33 **designated receiving schools shall be the responsibility of the transferring student's parent.**

34 **5. Notwithstanding any other provision of law, children who are five years of age**
35 **prior to August first of any given year, and who reside in a school district that has been**
36 **declared unaccredited, shall be required to attend kindergarten, unless the child is**
37 **preenrolled in first grade in an approved private or home-school program.**

38 **6. (1) The department of elementary and secondary education shall establish**
39 **procedures for transfer under this section and may promulgate all necessary rules and**
40 **regulations for the administration of this section.**

41 **(2) The provisions of this section shall not be construed to be subject to the two-**
42 **year delay required by section 161.092 for changes to accreditation. Any rule or portion**
43 **of a rule, as that term is defined in section 536.010, that is created under the authority**
44 **delegated in this section shall become effective only if it complies with and is subject to all**
45 **of the provisions of chapter 536 and, if applicable, section 536.028. This section and**
46 **chapter 536 are nonseverable and if any of the powers vested with the general assembly**
47 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
48 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority and**
49 **any rule proposed or adopted after August 28, 2014, shall be invalid and void.**

167.780. 1. Prior to the end of the student's sixth grade year, and in conjunction
2 **with the student's parent or guardian and the school district that is declared to be**
3 **provisionally accredited or unaccredited under section 161.092, each student shall develop**
4 **a personal plan of study based upon standards adopted under this section.**

5 **2. The school district shall adopt all necessary policies to implement a**
6 **comprehensive guidance and counseling program focusing on career awareness in the**
7 **elementary grades, career exploration at the middle grades, and educational and career**
8 **planning at the high school level, with the goal of ensuring that all students will graduate**
9 **college and be career ready.**

10 **3. The school district policy shall include, but not be limited to, the following**
11 **elements:**

12 **(1) Active participation by counselors, teachers, administrators, as well as**
13 **involvement of the student's parent or guardian in the development, review and revision**
14 **of personal plans of study;**

15 **(2) Adequate resources and training for the development of personal plans of**
16 **study;**

17 **(3) Adequate time and opportunity for schools to implement the individual**
18 **planning process required in the development of personal plans of study; and**

19 **(4) Access to the statewide, web-based educational and career planning system**
20 **sponsored by the department of elementary and secondary education.**

21 **4. The personal plan of study shall be reviewed at least annually by school**
22 **personnel and the student with involvement of the student's parent or guardian and**
23 **updated based upon the needs of the student. Each plan shall cover a term of eight years**
24 **or until the student has reached his or her postsecondary goals, with implementation of the**
25 **plan of study transferring to the program of postsecondary education or training upon the**
26 **student's graduation. The plan shall include, but not be limited to:**

27 **(1) Requirements for graduation from the school district;**

28 **(2) Career or postsecondary goals based on career paths or career clusters;**

29 **(3) Course work or program of study related to career and postsecondary goals;**

30 **and**

31 **(4) Student assessments, interest inventories or academic results needed to develop,**
32 **review, and revise the personal plan of study.**

33 **5. Except for transferring the implementation of a student's personal plan on to a**
34 **training program or higher education institution, nothing in this section shall require a**
35 **district to be responsible for maintaining or updating a student's personal plan or meeting**
36 **the annual meeting requirement when the student is no longer enrolled in the district.**

37 **6. Notwithstanding any provision of this section, when a student leaves a district,**
38 **a copy of the student's personal plan shall be made available to the student or student's**
39 **parents for their review, implementation, and development.**

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