

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 118, Page 12, Section 162.1310, Line 24,
2 by inserting immediately after said line the following:

3 "167.121. 1. If the residence of a pupil is so located that attendance in the district of
4 residence constitutes an unusual or unreasonable transportation hardship because of natural barriers,
5 unforeseen circumstances, travel time, or distance, the commissioner of education or his or her
6 designee may assign the pupil to another district. If the commissioner or his or her designee
7 determines that the pupil shall not be assigned to another district, the pupil may appeal the decision
8 to a board of arbitration within ten days of notification of the decision. The board of arbitration
9 shall consist of three members to be appointed by the chair of the joint committee on education.
10 Initial appointments to the board shall be made before July 15, 2017. Each board member shall
11 serve a one-year term but may be reappointed to serve additional terms as determined by the chair.
12 No board member shall be paid compensation except for reasonable expenses associated with his or
13 her duties. The board shall make its determination regarding the reassignment of the student within
14 fifteen days of notification of the appeal by the pupil. All decisions of the board are final and shall
15 not be appealed. Subject to the provisions of this section, all existing assignments shall be reviewed
16 prior to July 1, 1984, and from time to time thereafter, and may be continued or rescinded. The
17 board of education of the district in which the pupil lives shall pay the tuition of the pupil assigned.
18 The tuition shall not exceed the pro rata cost of instruction.

19 2. (1) For the school year beginning July 1, 2008, and each succeeding school year, a
20 parent or guardian residing in a lapsed public school district or a district that has scored either
21 unaccredited or provisionally accredited, or a combination thereof, on two consecutive annual
22 performance reports may enroll the parent's or guardian's child in the Missouri virtual school created
23 in section 161.670 provided the pupil first enrolls in the school district of residence. The school
24 district of residence shall include the pupil's enrollment in the virtual school created in section
25 161.670 in determining the district's average daily attendance. Full-time enrollment in the virtual
26 school shall constitute one average daily attendance equivalent in the school district of residence.
27 Average daily attendance for part-time enrollment in the virtual school shall be calculated as a
28 percentage of the total number of virtual courses enrolled in divided by the number of courses
29 required for full-time attendance in the school district of residence.

30 (2) A pupil's residence, for purposes of this section, means residency established under
31 section 167.020. Except for students residing in a K-8 district attending high school in a district
32 under section 167.131, the board of the home district shall pay to the virtual school the amount
33 required under section 161.670.

34 (3) Nothing in this section shall require any school district or the state to provide computers,
35 equipment, internet or other access, supplies, materials or funding, except as provided in this
36 section, as may be deemed necessary for a pupil to participate in the virtual school created in section

Action Taken _____ Date _____

1 161.670.

2 (4) Any rule or portion of a rule, as that term is defined in section 536.010, that is created
3 under the authority delegated in this section shall become effective only if it complies with and is
4 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
5 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
6 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
7 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
8 August 28, 2007, shall be invalid and void."; and

9
10 Further amend said bill by amending the title, enacting clause, and intersectional references
11 accordingly.