

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By  
\_\_\_\_\_

1 AMEND House Committee Substitute for House Bill No. 2247, Page 29, Section 160.518, Line 83,  
2 by inserting after all of said line the following:

3  
4 "163.011. As used in this chapter unless the context requires otherwise:

5 (1) "Adjusted operating levy", the sum of tax rates for the current year for teachers' and  
6 incidental funds for a school district as reported to the proper officer of each county pursuant to  
7 section 164.011;

8 (2) "Average daily attendance", the quotient or the sum of the quotients obtained by  
9 dividing the total number of hours attended in a term by resident pupils between the ages of five and  
10 twenty-one by the actual number of hours school was in session in that term. To the average daily  
11 attendance of the following school term shall be added the full-time equivalent average daily  
12 attendance of summer school students. "Full-time equivalent average daily attendance of summer  
13 school students" shall be computed by dividing the total number of hours, except for physical  
14 education hours that do not count as credit toward graduation for students in grades nine, ten,  
15 eleven, and twelve, attended by all summer school pupils by the number of hours required in section  
16 160.011 in the school term. For purposes of determining average daily attendance under this  
17 subdivision, the term "resident pupil" shall include all children between the ages of five and twenty-  
18 one who are residents of the school district and who are attending kindergarten through grade  
19 twelve in such district. If a child is attending school in a district other than the district of residence  
20 and the child's parent is teaching in the school district or is a regular employee of the school district  
21 which the child is attending, then such child shall be considered a resident pupil of the school  
22 district which the child is attending for such period of time when the district of residence is not  
23 otherwise liable for tuition. Average daily attendance for students below the age of five years for  
24 which a school district may receive state aid based on such attendance shall be computed as regular  
25 school term attendance unless otherwise provided by law;

26 (3) "Current operating expenditures":

27 (a) For the fiscal year 2007 calculation, "current operating expenditures" shall be calculated  
28 using data from fiscal year 2004 and shall be calculated as all expenditures for instruction and  
29 support services except capital outlay and debt service expenditures minus the revenue from federal  
30 categorical sources; food service; student activities; categorical payments for transportation costs  
31 pursuant to section 163.161; state reimbursements for early childhood special education; the career  
32 ladder entitlement for the district, as provided for in sections 168.500 to 168.515; the vocational  
33 education entitlement for the district, as provided for in section 167.332; and payments from other  
34 districts;

35 (b) In every fiscal year subsequent to fiscal year 2007, current operating expenditures shall  
36 be the amount in paragraph (a) of this subdivision plus any increases in state funding pursuant to

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 sections 163.031 and 163.043 subsequent to fiscal year 2005, not to exceed five percent, per  
 2 recalculation, of the state revenue received by a district in the 2004-05 school year from the  
 3 foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free  
 4 textbook payments for any district from the first preceding calculation of the state adequacy target;

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

8 (5) "Dollar-value modifier", an index of the relative purchasing power of a dollar,  
 9 calculated as one plus fifteen percent of the difference of the regional wage ratio minus one,  
 10 provided that the dollar value modifier shall not be applied at a rate less than 1.0. As used in this  
 11 subdivision, the following terms mean:

12 (a) "County wage per job", the total county wage and salary disbursements divided by the  
 13 total county wage and salary employment for each county and the City of St. Louis as reported by  
 14 the Bureau of Economic Analysis of the United States Department of Commerce for the fourth year  
 15 preceding the payment year;

16 (b) "Regional wage per job":

17 a. The total Missouri wage and salary disbursements of the metropolitan area as defined by  
 18 the Office of Management and Budget divided by the total Missouri metropolitan wage and salary  
 19 employment for the metropolitan area for the county signified in the school district number or the  
 20 City of St. Louis, as reported by the Bureau of Economic Analysis of the United States Department  
 21 of Commerce for the fourth year preceding the payment year and recalculated upon every decennial  
 22 census to incorporate counties that are newly added to the description of metropolitan areas; or if no  
 23 such metropolitan area is established, then:

24 b. The total Missouri wage and salary disbursements of the micropolitan area as defined by  
 25 the Office of Management and Budget divided by the total Missouri micropolitan wage and salary  
 26 employment for the micropolitan area for the county signified in the school district number, as  
 27 reported by the Bureau of Economic Analysis of the United States Department of Commerce for the  
 28 fourth year preceding the payment year, if a micropolitan area for such county has been established  
 29 and recalculated upon every decennial census to incorporate counties that are newly added to the  
 30 description of micropolitan areas; or

31 c. If a county is not part of a metropolitan or micropolitan area as established by the Office  
 32 of Management and Budget, then the county wage per job, as defined in paragraph (a) of this  
 33 subdivision, shall be used for the school district, as signified by the school district number;

34 (c) "Regional wage ratio", the ratio of the regional wage per job divided by the state median  
 35 wage per job;

36 (d) "State median wage per job", the fifty-eighth highest county wage per job;

37 (6) "Free and reduced price lunch pupil count", for school districts not eligible for and those  
 38 that do not choose the USDA Community Eligibility Option, the number of pupils eligible for free  
 39 and reduced price lunch on the last Wednesday in January for the preceding school year who were  
 40 enrolled as students of the district, as approved by the department in accordance with applicable  
 41 federal regulations. For eligible school districts that choose the USDA Community Eligibility  
 42 Option, the free and reduced price lunch pupil count shall be the percentage of free and reduced  
 43 price lunch students calculated as eligible on the last Wednesday in January of the most recent  
 44 school year that included household applications to determine free and reduced price lunch count  
 45 multiplied by the district's average daily attendance figure;

46 (7) "Free and reduced price lunch threshold" shall be calculated by dividing the total free  
 47 and reduced price lunch pupil count of every performance district that falls entirely above the  
 48 bottom five percent and entirely below the top five percent of average daily attendance, when such

1 districts are rank-ordered based on their current operating expenditures per average daily attendance,  
2 by the total average daily attendance of all included performance districts;

3 (8) "Limited English proficiency pupil count", the number in the preceding school year of  
4 pupils aged three through twenty-one enrolled or preparing to enroll in an elementary school or  
5 secondary school who were not born in the United States or whose native language is a language  
6 other than English or are Native American or Alaskan native, or a native resident of the outlying  
7 areas, and come from an environment where a language other than English has had a significant  
8 impact on such individuals' level of English language proficiency, or are migratory, whose native  
9 language is a language other than English, and who come from an environment where a language  
10 other than English is dominant; and have difficulties in speaking, reading, writing, or understanding  
11 the English language sufficient to deny such individuals the ability to meet the state's proficient  
12 level of achievement on state assessments described in Public Law [~~107-10~~] 107-110 or successor  
13 legislation, the ability to achieve successfully in classrooms where the language of instruction is  
14 English, or the opportunity to participate fully in society;

15 (9) "Limited English proficiency threshold" shall be calculated by dividing the total limited  
16 English proficiency pupil count of every performance district that falls entirely above the bottom  
17 five percent and entirely below the top five percent of average daily attendance, when such districts  
18 are rank-ordered based on their current operating expenditures per average daily attendance, by the  
19 total average daily attendance of all included performance districts;

20 (10) "Local effort":

21 (a) For the fiscal year 2007 calculation, "local effort" shall be computed as the equalized  
22 assessed valuation of the property of a school district in calendar year 2004 divided by one hundred  
23 and multiplied by the performance levy less the percentage retained by the county assessor and  
24 collector plus one hundred percent of the amount received in fiscal year 2005 for school purposes  
25 from intangible taxes, fines, escheats, payments in lieu of taxes and receipts from state-assessed  
26 railroad and utility tax, one hundred percent of the amount received for school purposes pursuant to  
27 the merchants' and manufacturers' taxes under sections 150.010 to 150.370, one hundred percent of  
28 the amounts received for school purposes from federal properties under sections 12.070 and 12.080  
29 except when such amounts are used in the calculation of federal impact aid pursuant to P.L. 81-874,  
30 fifty percent of Proposition C revenues received for school purposes from the school district trust  
31 fund under section 163.087, and one hundred percent of any local earnings or income taxes received  
32 by the district for school purposes. Under this paragraph, for a special district established under  
33 sections 162.815 to 162.940 in a county with a charter form of government and with more than one  
34 million inhabitants, a tax levy of zero shall be utilized in lieu of the performance levy for the special  
35 school district;

36 (b) In every year subsequent to fiscal year 2007, "local effort" shall be the amount  
37 calculated under paragraph (a) of this subdivision plus any increase in the amount received for  
38 school purposes from fines. If a district's assessed valuation has decreased subsequent to the  
39 calculation outlined in paragraph (a) of this subdivision, the district's local effort shall be calculated  
40 using the district's current assessed valuation in lieu of the assessed valuation utilized in the  
41 calculation outlined in paragraph (a) of this subdivision. When a change in a school district's  
42 boundary lines occurs because of a boundary line change, annexation, attachment, consolidation,  
43 reorganization, or dissolution under section 162.071, 162.081, sections 162.171 to 162.201, section  
44 162.221, 162.223, 162.431, 162.441, or 162.451, or in the event that a school district assumes any  
45 territory from a district that ceases to exist for any reason, the department of elementary and  
46 secondary education shall make a proper adjustment to each affected district's local effort, so that  
47 each district's local effort figure conforms to the new boundary lines of the district. The department  
48 shall compute the local effort figure by applying the calendar year 2004 assessed valuation data to

1 the new land areas resulting from the boundary line change, annexation, attachment, consolidation,  
2 reorganization, or dissolution and otherwise follow the procedures described in this subdivision;

3 (c) If a district received moneys in any school year other than the current or immediately  
4 preceding school year as a result of the operation of payments in lieu of taxes under 31 U.S.C.  
5 Chapter 69, the Impact Aid law enacted in Title VIII of the Elementary and Secondary Education  
6 Act of 1965, or the Secure Rural Schools and Community Self-Determination Act of 2000, the local  
7 effort figure in paragraph (b) of this subdivision shall be decreased by an amount equal to the  
8 difference between:

9 a. The highest amount the district ever received in one school year from the operation of the  
10 federal laws described in this paragraph; and

11 b. The amount the district received in the immediately preceding school year, if any, from  
12 the operation of the federal laws described in this paragraph;

13 (11) “Membership” shall be the average of:

14 (a) The number of resident full-time students and the full-time equivalent number of part-  
15 time students who were enrolled in the public schools of the district on the last Wednesday in  
16 September of the previous year and who were in attendance one day or more during the preceding  
17 ten school days; and

18 (b) The number of resident full-time students and the full-time equivalent number of part-  
19 time students who were enrolled in the public schools of the district on the last Wednesday in  
20 January of the previous year and who were in attendance one day or more during the preceding ten  
21 school days, plus the full-time equivalent number of summer school pupils. “Full-time equivalent  
22 number of part-time students” is determined by dividing the total number of hours for which all  
23 part-time students are enrolled by the number of hours in the school term. “Full-time equivalent  
24 number of summer school pupils” is determined by dividing the total number of hours for which all  
25 summer school pupils were enrolled by the number of hours required pursuant to section 160.011 in  
26 the school term. Only students eligible to be counted for average daily attendance shall be counted  
27 for membership;

28 (12) “Operating levy for school purposes”, the sum of tax rates levied for teachers’ and  
29 incidental funds plus the operating levy or sales tax equivalent pursuant to section 162.1100 of any  
30 transitional school district containing the school district, in the payment year, not including any  
31 equalized operating levy for school purposes levied by a special school district in which the district  
32 is located;

33 (13) “Performance district”, any district that has met performance standards and indicators  
34 as established by the department of elementary and secondary education for purposes of  
35 accreditation under section 161.092 and as reported on the final annual performance report for that  
36 district each year; for calculations to be utilized for payments in fiscal years subsequent to fiscal  
37 year 2018, the number of performance districts shall not exceed twenty-five percent of all public  
38 school districts;

39 (14) “Performance levy”, three dollars and forty-three cents;

40 (15) “School purposes” pertains to teachers’ and incidental funds;

41 (16) “Special education pupil count”, the number of public school students with a current  
42 individualized education program or services plan and receiving services from the resident district  
43 as of December first of the preceding school year, except for special education services provided  
44 through a school district established under sections 162.815 to 162.940 in a county with a charter  
45 form of government and with more than one million inhabitants, in which case the sum of the  
46 students in each district within the county exceeding the special education threshold of each  
47 respective district within the county shall be counted within the special district and not in the district  
48 of residence for purposes of distributing the state aid derived from the special education pupil count;

1 (17) "Special education threshold" shall be calculated by dividing the total special education  
2 pupil count of every performance district that falls entirely above the bottom five percent and  
3 entirely below the top five percent of average daily attendance, when such districts are rank-ordered  
4 based on their current operating expenditures per average daily attendance, by the total average  
5 daily attendance of all included performance districts;

6 (18) "State adequacy target", the sum of the current operating expenditures of every  
7 performance district that falls entirely above the bottom five percent and entirely below the top five  
8 percent of average daily attendance, when such districts are rank-ordered based on their current  
9 operating expenditures per average daily attendance, divided by the total average daily attendance of  
10 all included performance districts. The department of elementary and secondary education shall  
11 first calculate the state adequacy target for fiscal year 2007 and recalculate the state adequacy target  
12 every two years using the most current available data. The recalculation shall never result in a  
13 decrease from the state adequacy target as calculated for fiscal years 2017 and 2018 and any state  
14 adequacy target figure calculated subsequent to fiscal year 2018. Should a recalculation result in an  
15 increase in the state adequacy target amount, fifty percent of that increase shall be included in the  
16 state adequacy target amount in the year of recalculation, and fifty percent of that increase shall be  
17 included in the state adequacy target amount in the subsequent year. The state adequacy target may  
18 be adjusted to accommodate available appropriations as provided in subsection 7 of section  
19 163.031;

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

25 (20) "Weighted average daily attendance", the average daily attendance plus the product of  
26 twenty-five hundredths multiplied by the free and reduced price lunch pupil count that exceeds the  
27 free and reduced price lunch threshold, plus the product of seventy-five hundredths multiplied by  
28 the number of special education pupil count that exceeds the special education threshold, plus the  
29 product of six-tenths multiplied by the number of limited English proficiency pupil count that  
30 exceeds the limited English proficiency threshold. For special districts established under sections  
31 162.815 to 162.940 in a county with a charter form of government and with more than one million  
32 inhabitants, weighted average daily attendance shall be the average daily attendance plus the product  
33 of twenty-five hundredths multiplied by the free and reduced price lunch pupil count that exceeds  
34 the free and reduced price lunch threshold, plus the product of seventy-five hundredths multiplied  
35 by the sum of the special education pupil count that exceeds the threshold for each county district,  
36 plus the product of six-tenths multiplied by the limited English proficiency pupil count that exceeds  
37 the limited English proficiency threshold. None of the districts comprising a special district  
38 established under sections 162.815 to 162.940 in a county with a charter form of government and  
39 with more than one million inhabitants[,] shall use any special education pupil count in calculating  
40 their weighted average daily attendance."; and

41  
42 Further amend said bill by amending the title, enacting clause, and intersectional references  
43 accordingly.