

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 581, Page 27, Section 160.425, Line 48,
2 by inserting after all of said line the following:

3
4 "160.440. 1. For purposes of this section, "magnet school" means a school with specialized
5 curricula that draws its student body from geographic areas outside the attendance zone of such
6 school but within the attendance zone of the school district in which such school is located.

7 2. Notwithstanding any other provision of law, a school district may convert any school
8 within its district into a magnet school. Any student who lives within the attendance zone of the
9 school district may attend such magnet school, subject to the provisions of subsection 3 of this
10 section.

11 3. If capacity is insufficient to enroll all students who seek admission to the magnet school,
12 the magnet school shall have an admissions process that ensures that all students who seek
13 admission have an equal chance of gaining admission; except that, the magnet school may give a
14 preference for admission of students who submit an application for admission before a certain date.

15 4. A school district shall not be required to provide transportation to any student attending a
16 magnet school who lives outside the attendance zone of such school but within the attendance zone
17 of the school district.

18 5. This section shall not apply to any magnet school that was operating before the effective
19 date of this section.

20 160.545. 1. There is hereby established within the department of elementary and secondary
21 education the "A+ Schools Program" to be administered by the commissioner of education. The
22 program shall consist of grant awards made to public secondary schools that demonstrate a
23 commitment to ensure that:

24 (1) All students be graduated from school;

25 (2) All students complete a selection of high school studies that is challenging and for which
26 there are identified learning expectations; and

27 (3) All students proceed from high school graduation to a college or postsecondary
28 vocational or technical school or high-wage job with work place skill development opportunities.

29 2. The state board of education shall promulgate rules and regulations for the approval of
30 grants made under the program to schools that:

31 (1) Establish measurable districtwide performance standards for the goals of the program
32 outlined in subsection 1 of this section; and

33 (2) Specify the knowledge, skills and competencies, in measurable terms, that students must
34 demonstrate to successfully complete any individual course offered by the school, and any course of
35 studies which will qualify a student for graduation from the school; and

36 (3) Do not offer a general track of courses that, upon completion, can lead to a high school

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1 diploma; and

2 (4) Require rigorous coursework with standards of competency in basic academic subjects
3 for students pursuing vocational and technical education as prescribed by rule and regulation of the
4 state board of education; and

5 (5) Have a partnership plan developed in cooperation and with the advice of local business
6 persons, labor leaders, parents, and representatives of college and postsecondary vocational and
7 technical school representatives, with the plan then approved by the local board of education. The
8 plan shall specify a mechanism to receive information on an annual basis from those who developed
9 the plan in addition to senior citizens, community leaders, and teachers to update the plan in order to
10 best meet the goals of the program as provided in subsection 1 of this section. Further, the plan shall
11 detail the procedures used in the school to identify students that may drop out of school and the
12 intervention services to be used to meet the needs of such students. The plan shall outline
13 counseling and mentoring services provided to students who will enter the work force upon
14 graduation from high school, address apprenticeship and intern programs, and shall contain
15 procedures for the recruitment of volunteers from the community of the school to serve in schools
16 receiving program grants.

17 3. Any nonpublic school in this state may apply to the state board of education for
18 certification that it meets the requirements of this section subject to the same criteria as public high
19 schools. Every nonpublic school that applies and has met the requirements of this section shall have
20 its students eligible for reimbursement of postsecondary education under subsection 8 of this section
21 on an equal basis to students who graduate from public schools that meet the requirements of this
22 section. Any nonpublic school that applies shall not be eligible for any grants under this section.
23 Students of certified nonpublic schools shall be eligible for reimbursement of postsecondary
24 education under subsection 8 of this section so long as they meet the other requirements of such
25 subsection. For purposes of subdivision (5) of subsection 2 of this section, the nonpublic school
26 shall be included in the partnership plan developed by the public school district in which the
27 nonpublic school is located. For purposes of subdivision (1) of subsection 2 of this section, the
28 nonpublic school shall establish measurable performance standards for the goals of the program for
29 every school and grade level over which the nonpublic school maintains control.

30 4. A school district may participate in the program irrespective of its accreditation
31 classification by the state board of education, provided it meets all other requirements.

32 5. By rule and regulation, the state board of education may determine a local school district
33 variable fund match requirement in order for a school or schools in the district to receive a grant
34 under the program. However, no school in any district shall receive a grant under the program
35 unless the district designates a salaried employee to serve as the program coordinator, with the
36 district assuming a minimum of one-half the cost of the salary and other benefits provided to the
37 coordinator. Further, no school in any district shall receive a grant under the program unless the
38 district makes available facilities and services for adult literacy training as specified by rule of the
39 state board of education.

40 6. For any school that meets the requirements for the approval of the grants authorized by
41 this section and specified in subsection 2 of this section for three successive school years, by August
42 first following the third such school year, the commissioner of education shall present a plan to the
43 superintendent of the school district in which such school is located for the waiver of rules and
44 regulations to promote flexibility in the operations of the school and to enhance and encourage
45 efficiency in the delivery of instructional services in the school. The provisions of other law to the
46 contrary notwithstanding, the plan presented to the superintendent shall provide a summary waiver,
47 with no conditions, for the pupil testing requirements pursuant to section 160.257 in the school.
48 Further, the provisions of other law to the contrary notwithstanding, the plan shall detail a means for
49 the waiver of requirements otherwise imposed on the school related to the authority of the state

1 board of education to classify school districts pursuant to subdivision (9) of section 161.092 and
 2 such other rules and regulations as determined by the commissioner of education, except such
 3 waivers shall be confined to the school and not other schools in the school district unless such other
 4 schools meet the requirements of this subsection. However, any waiver provided to any school as
 5 outlined in this subsection shall be void on June thirtieth of any school year in which the school fails
 6 to meet the requirements for the approval of the grants authorized by this section as specified in
 7 subsection 2 of this section.

8 7. For any school year, grants authorized by subsections 1, 2, and 5 of this section shall be
 9 funded with the amount appropriated for this program, less those funds necessary to reimburse
 10 eligible students pursuant to subsection 8 of this section.

11 8. The department of higher education shall, by rule, establish a procedure for the
 12 reimbursement of the cost of tuition, books and fees to any public community college or vocational
 13 or technical school or within the limits established in subsection 10 of this section for any two-year
 14 private vocational or technical school for any student:

15 (1) Who has attended a high school in the state for at least three years prior to graduation
 16 that meets the requirements of subsection 2 of this section and who has graduated from such a
 17 school; except that, students who are active duty military dependents, and students who are
 18 ~~[dependants]~~ dependents of retired military who relocate to Missouri within one year of the date of
 19 the parent's retirement from active duty, who, in the school year immediately preceding graduation,
 20 meet all other requirements of this subsection and are attending a school that meets the requirements
 21 of subsection 2 of this section shall be exempt from the three-year attendance requirement of this
 22 subdivision; and

23 (2) Who has made a good faith effort to first secure all available federal sources of funding
 24 that could be applied to the reimbursement described in this subsection; and

25 (3) Who has earned a minimal grade average while in high school as determined by rule of
 26 the department of higher education, and other requirements for the reimbursement authorized by this
 27 subsection as determined by rule and regulation of the department ~~]; and~~

28 ~~———(4) Who is a citizen or permanent resident of the United States].~~

29 9. The commissioner of education shall develop a procedure for evaluating the effectiveness
 30 of the program described in this section. Such evaluation shall be conducted annually with the
 31 results of the evaluation provided to the governor, speaker of the house, and president pro tempore
 32 of the senate.

33 10. For a two-year private vocational or technical school to obtain reimbursements under
 34 subsection 8 of this section, the following requirements shall be satisfied:

35 (1) Such two-year private vocational or technical school shall be a member of the North
 36 Central Association and be accredited by the Higher Learning Commission as of July 1, 2008, and
 37 maintain such accreditation;

38 (2) Such two-year private vocational or technical school shall be designated as a 501(c)(3)
 39 nonprofit organization under the Internal Revenue Code of 1986, as amended;

40 (3) No two-year private vocational or technical school shall receive tuition reimbursements
 41 in excess of the tuition rate charged by a public community college for course work offered by the
 42 private vocational or technical school within the service area of such college; and

43 (4) The reimbursements provided to any two-year private vocational or technical school
 44 shall not violate the provisions of Article IX, Section 8, or Article I, Section 7, of the Missouri
 45 Constitution or the first amendment of the United States Constitution.

46 160.665. 1. Any school district within the state may designate one or more elementary or
 47 secondary school teachers or administrators as a school protection officer. The responsibilities and
 48 duties of a school protection officer are voluntary and shall be in addition to the normal
 49 responsibilities and duties of the teacher or administrator. Any compensation for additional duties

1 relating to service as a school protection officer shall be funded by the local school district, with no
2 state funds used for such purpose.

3 2. Any person designated by a school district as a school protection officer shall be
4 authorized to carry concealed firearms or a self-defense spray device in any school in the district. A
5 self-defense spray device shall mean any device that is capable of carrying, and that ejects, releases,
6 or emits, a nonlethal solution capable of incapacitating a violent threat. The school protection
7 officer shall not be permitted to allow any firearm or device out of his or her personal control while
8 that firearm or device is on school property. Any school protection officer who violates this
9 subsection may be removed immediately from the classroom and subject to employment termination
10 proceedings.

11 3. A school protection officer has the same authority to detain or use force against any
12 person on school property as provided to any other person under chapter 563.

13 4. Upon detention of a person under subsection 3 of this section, the school protection
14 officer shall immediately notify a school administrator and a school resource officer, if such officer
15 is present at the school. If the person detained is a student then the parents or guardians of the
16 student shall also be immediately notified by a school administrator.

17 5. Any person detained by a school protection officer shall be turned over to a school
18 administrator or law enforcement officer as soon as practically possible and shall not be detained by
19 a school protection officer for more than one hour.

20 6. Any teacher or administrator of an elementary or secondary school who seeks to be
21 designated as a school protection officer shall request such designation in writing, and submit it to
22 the ~~superintendent~~ board of the school district which employs him or her as a teacher or
23 administrator. Along with this request, any teacher or administrator seeking to carry a concealed
24 firearm on school property shall also submit proof that he or she has a valid concealed carry
25 endorsement or permit, and all teachers and administrators seeking the designation of school
26 protection officer shall submit a certificate of school protection officer training program completion
27 from a training program approved by the director of the department of public safety which
28 demonstrates that such person has successfully completed the training requirements established by
29 the POST commission under chapter 590 for school protection officers.

30 7. No school district may designate a teacher or administrator as a school protection officer
31 unless such person has successfully completed a school protection officer training program, which
32 has been approved by the director of the department of public safety. No school district shall allow
33 a school protection officer to carry a concealed firearm on school property unless the school
34 protection officer has a valid concealed carry endorsement or permit.

35 8. Any school district that designates a teacher or administrator as a school protection
36 officer shall, within thirty days, notify, in writing, the director of the department of public safety of
37 the designation, which shall include the following:

- 38 (1) The full name, date of birth, and address of the officer;
- 39 (2) The name of the school district; and
- 40 (3) The date such person was designated as a school protection officer.

41
42 Notwithstanding any other provisions of law to the contrary, any identifying information collected
43 under the authority of this subsection shall not be considered public information and shall not be
44 subject to a request for public records made under chapter 610.

45 9. A school district may revoke the designation of a person as a school protection officer for
46 any reason and shall immediately notify the designated school protection officer in writing of the
47 revocation. The school district shall also within thirty days of the revocation notify the director of
48 the department of public safety in writing of the revocation of the designation of such person as a
49 school protection officer. A person who has had the designation of school protection officer

1 revoked has no right to appeal the revocation decision.

2 10. The director of the department of public safety shall maintain a listing of all persons
3 designated by school districts as school protection officers and shall make this list available to all
4 law enforcement agencies.

5 11. Before a school district may designate a teacher or administrator as a school protection
6 officer, the school board shall hold a public hearing on whether to allow such designation. Notice of
7 the hearing shall be published at least fifteen days before the date of the hearing in a newspaper of
8 general circulation within the city or county in which the school district is located. The board may
9 determine at a closed meeting, as "closed meeting" is defined under section 610.010, whether to
10 authorize the designated school protection officer to carry a concealed firearm or a self-defense
11 spray device.

12 162.215. 1. The school board of any school district may authorize and commission school
13 officers to enforce laws relating to crimes committed on school premises, at school activities, and on
14 school buses operating within the school district only upon the execution of a memorandum of
15 understanding with each municipal law enforcement agency and county sheriff's office which has
16 law enforcement jurisdiction over the school district's premises and location of school activities,
17 provided that the memorandum shall not grant statewide arrest authority. School officers shall be
18 licensed peace officers, as defined in section 590.010, and shall comply with the provisions of
19 chapter 590. The powers and duties of a peace officer shall continue throughout the employee's
20 tenure as a school officer.

21 2. School officers shall abide by district school board policies, all terms and conditions
22 defined within the executed memorandum of understanding with each municipal law enforcement
23 agency and county sheriff's office which has law enforcement jurisdiction over the school district's
24 premises and location of school activities, and shall consult with and coordinate activities through
25 the ~~[school superintendent or the superintendent's designee]~~ board. School officers' authority shall
26 be limited to crimes committed on school premises, at school activities, and on school buses
27 operating within the jurisdiction of the executed memorandum of understanding. All crimes
28 involving any sexual offense or any felony involving the threat or use of force shall remain under
29 the authority of the local jurisdiction where the crime occurred. School officers may conduct any
30 justified stop on school property and enforce any local violation that occurs on school grounds.
31 School officers shall have the authority to stop, detain, and arrest for crimes committed on school
32 property, at school activities, and on school buses.

33 162.553. There may be established for a period of not less than one year nor more than three
34 years within each urban school district with a reported dropout rate in excess of forty percent, an ad
35 hoc committee of thirteen to twenty members on dropout prevention. The committee shall be
36 composed of school personnel, parents, students and community members. The committee
37 members shall be selected by ~~[the superintendent and president of]~~ the school board with input from
38 community organizations, the parent organizations of the district and student organizations of the
39 district.

40 162.641. 1. In metropolitan districts, the treasurer shall exercise a general supervision over
41 the fiscal affairs of the public schools of the city, the collection and payment of funds to the school
42 depositaries, and the disbursement of all revenues and moneys belonging to the board. He or she
43 shall deposit daily in the designated depositaries of the board all money collected or received by him
44 or her for the board. He or she shall see that no liability is incurred or expenditure made without
45 due authority of law, and that the appropriations are not overdrawn. He or she shall have
46 supervision of all invested property of the board. He or she shall be the custodian of all securities,
47 documents, title papers, books of record and other papers belonging to the board, other than books
48 of record of board proceedings. He or she shall furnish a statement of receipts and disbursements at
49 the times that the rules of the board provide, and at the end of the fiscal year he or she shall make to

1 the superintendent of schools and the board a full and comprehensive report of its financial affairs
2 for the preceding year. He or she shall give bond as the board requires, but not less than fifty
3 thousand dollars.

4 2. The treasurer shall be the general accountant of the board and shall preserve in his or her
5 office all accounts, vouchers and contracts pertaining to school affairs. He or she shall examine and
6 audit all accounts and demands against the board and certify their correctness. He or she shall
7 require settlement of accounts to be verified by affidavit whenever he or she deems proper. He or
8 she shall keep accounts and shall make available budget and cost information as requested by the
9 superintendent of schools and the board of education.

10 3. The treasurer shall exercise his or her duties and responsibilities under the administrative
11 supervision and direction of the [~~superintendent of schools and subject to the rules, regulations and~~
12 ~~policies of the~~] board of education.

13 162.1100. 1. There is hereby established within each city not within a county a school
14 district to be known as the "Transitional School District of (name of city)", which shall be a body
15 corporate and politic and a subdivision of the state. The transitional school district shall be
16 coterminous with the boundaries of the city in which the district is located. Except as otherwise
17 provided in this section and section 162.621, the transitional school district shall be subject to all
18 laws pertaining to "seven-director districts", as defined in section 160.011. The transitional school
19 district shall have the responsibility for educational programs and policies determined by a final
20 judgment of a federal school desegregation case to be needed in providing for a transition of the
21 educational system of the city from control and jurisdiction of a federal court school desegregation
22 order, decree or agreement and such other programs and policies as designated by the governing
23 body of the school district.

24 2. (1) The governing board of the transitional school district shall consist of three residents
25 of the district: one shall be appointed by the governing body of the district, one shall be appointed
26 by the mayor of the city not within a county and one shall be appointed by the president of the board
27 of aldermen of the city not within a county. The members of the governing board shall serve
28 without compensation for a term of three years, or until their successors have been appointed, or
29 until the transitional district is dissolved or terminated. Any tax approved for the transitional district
30 shall be assigned to the governing body of the school district in a city not within a county after
31 dissolution or termination of the transitional district.

32 (2) In the event that the state board of education shall declare the school district of a city not
33 within a county to be unaccredited, the member of the governing board of the transitional district
34 appointed by the governing body of the district as provided in subdivision (1) of this subsection
35 shall, within ninety days, be replaced by a chief executive officer nominated by the state board of
36 education and appointed by the governor with the advice and consent of the senate. The chief
37 executive officer need not be a resident of the district but shall be a person of recognized
38 administrative ability, shall be paid in whole or in part with funds from the district, and shall have all
39 other powers and duties of any other general superintendent of schools~~[-including appointment of~~
40 ~~staff]~~. The chief executive officer shall serve for a term of three years or until his or her successor is
41 appointed or until the transitional district is dissolved or terminated. His or her salary shall be set by
42 the state board of education.

43 3. In the event that the school district loses its accreditation, upon the appointment of a chief
44 executive officer, any powers granted to any existing school board in a city not within a county on
45 or before August 28, 1998, shall be vested with the special administrative board of the transitional
46 school district containing such school district so long as the transitional school district exists, except
47 as otherwise provided in section 162.621.

48 4. The special administrative board's powers and duties shall include:

49 (1) Creating an academic accountability plan, taking corrective action in underperforming

- 1 schools, and seeking relief from state-mandated programs;
- 2 (2) Exploration of alternative forms of governance for the district;
- 3 (3) Authority to contract with nonprofit corporations to provide for the operation of schools;
- 4 (4) Oversight of facility planning, construction, improvement, repair, maintenance and
- 5 rehabilitation;
- 6 (5) Authority to establish school site councils to facilitate site-based school management
- 7 and to improve the responsiveness of the schools to the needs of the local geographic attendance
- 8 region of the school;
- 9 (6) Authority to submit a proposal to district voters pursuant to section 162.666 regarding
- 10 establishment of neighborhood schools.

11 5. (1) The provisions of a final judgment as to the state of Missouri and its officials in a

12 school desegregation case which subjects a district in which a transitional district is located in this

13 state to a federal court's jurisdiction may authorize or require the governing body of a transitional

14 school district established under this section to establish the transitional district's operating levy for

15 school purposes, as defined pursuant to section 163.011, at a level not to exceed eighty-five cents

16 per one hundred dollars assessed valuation in the district or a sales tax equivalent amount as

17 determined by the department of elementary and secondary education which may be substituted for

18 all or part of such property tax.

19 (2) Any other statute to the contrary notwithstanding, no tax authorized pursuant to this

20 subsection shall:

21 (a) Be subject to any certificate of tax abatement issued after August 28, 1998, pursuant to

22 sections 99.700 to 99.715; and

23 (b) Effective January 1, 2002, be subject to any new or existing tax increment financing

24 adopted by a city not within a county pursuant to sections 99.800 to 99.865 except that any

25 redevelopment plan and redevelopment project concerning a convention headquarters hotel adopted

26 by ordinance by a city not within a county prior to August 28, 2003, shall be subject to such tax

27 increment financing.

28 (3) The transitional school district shall not be subject to the provisions of section 162.081,

29 sections 163.021 and 163.023 with respect to any requirements to maintain a minimum value of

30 operating levy or any consequences provided by law for failure to levy at least such minimum rate.

31 No operating levy or increase in the operating levy or sales tax established pursuant to this section

32 shall be collected for a transitional school district unless prior approval is obtained from a simple

33 majority of the district's voters. The board of the transitional district shall place the matter before

34 the voters prior to March 15, 1999.

35 6. (1) The special administrative board established in this section shall develop, implement,

36 monitor and evaluate a comprehensive school improvement plan, and such plan shall be subject to

37 review and approval of the state board of education. The plan shall ensure that all students meet or

38 exceed grade-level standards established by the state board of education pursuant to section

39 160.514;

40 (2) The special administrative board shall establish student performance standards

41 consistent with the standards established by the state board of education pursuant to section 160.514

42 for preschool through grade twelve in all skill and subject areas, subject to review and approval of

43 the state board of education for the purpose of determining whether the standards are consistent with

44 standards established by the state board of education pursuant to section 160.514;

45 (3) All students in the district who do not achieve grade-level standards shall be required to

46 attend summer school; except that the provisions of this subsection shall not apply to students

47 receiving special education services pursuant to sections 162.670 to 162.999;

48 (4) No student shall be promoted to a higher grade level unless that student has a reading

49 ability at or above one grade level below the student's grade level; except that the provisions of this

1 subsection shall not apply to students receiving special education services pursuant to sections
2 162.670 to 162.999;

3 (5) The special administrative board established in this section shall develop, implement and
4 annually update a professional development plan for teachers and other support staff, subject to
5 review and approval of the state board of education.

6 7. The school improvement plan established pursuant to this section shall ensure open
7 enrollment and program access to all students in the district, and, consistent with the Missouri and
8 United States Constitutions, shall give first priority to residents of the city for admission to magnet
9 schools. The school board shall take all practicable and constitutionally permissible steps to ensure
10 that all magnet schools operate at full capacity. Students who change residence within the district
11 shall be allowed to continue to attend the school in which they were initially enrolled for the
12 remainder of their education at grade levels served by that school, and transportation shall be
13 provided by the district to allow such students to continue to attend such school of initial enrollment.

14 8. To the extent practicable, the special administrative board shall ensure that per pupil
15 expenditures and pupil-teacher ratios shall be the same for all schools serving students at a given
16 grade level.

17 9. The special administrative board shall ensure that early childhood education is available
18 throughout the district.

19 10. The special administrative board shall ensure that vocational education instruction is
20 provided within the district.

21 11. The special administrative board shall establish an accountability officer whose duty
22 shall be to ensure that academically deficient schools within the district are raised to acceptable
23 condition within two years.

24 12. The transitional school district in any city not within a county shall be dissolved on July
25 1, 2008, unless the state board determines, prior to that date, that it is necessary for the transitional
26 district to continue to accomplish the purposes for which it was created. The state board of
27 education may cause the termination of the transitional school district at any time upon a
28 determination that the transitional district has accomplished the purposes for which it was
29 established and is no longer needed. The state board of education may cause the reestablishment of
30 the transitional school district at any time upon a determination that it is necessary for the
31 transitional district to be reestablished to accomplish the purposes established in this section. The
32 state board of education shall provide notice to the governor and general assembly of the
33 termination or reestablishment of the transitional school district and the termination or
34 reestablishment shall become effective thirty days following such determination. Upon dissolution
35 of a transitional school district pursuant to this section, nothing in this section shall be construed to
36 reduce or eliminate any power or duty of any school district or districts containing the territory of
37 the dissolved transitional school district unless such transitional school district is reestablished by
38 the state board of education pursuant to this section.

39 167.020. 1. As used in this section, the term "homeless child" or "homeless youth" shall
40 mean a person less than twenty-one years of age who lacks a fixed, regular and adequate nighttime
41 residence, including a child or youth who:

42 (1) Is sharing the housing of other persons due to loss of housing, economic hardship, or a
43 similar reason; is living in motels, hotels, or camping grounds due to lack of alternative adequate
44 accommodations; is living in emergency or transitional shelters; is abandoned in hospitals; or is
45 awaiting foster care placement;

46 (2) Has a primary nighttime residence that is a public or private place not designed for or
47 ordinarily used as a regular sleeping accommodation for human beings;

48 (3) Is living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or
49 train stations, or similar settings; and

1 (4) Is a migratory child or youth who qualifies as homeless because the child or youth is
2 living in circumstances described in subdivisions (1) to (3) of this subsection.

3 2. In order to register a pupil, the parent or legal guardian of the pupil or the pupil himself or
4 herself shall provide, at the time of registration, one of the following:

5 (1) Proof of residency in the district. Except as otherwise provided in section 167.151, the
6 term "residency" shall mean that a person both physically resides within a school district and is
7 domiciled within that district or, in the case of a private school student suspected of having a
8 disability under the Individuals With Disabilities Education Act, 20 U.S.C. Section 1412, et seq.,
9 that the student attends private school within that district. The domicile of a minor child shall be the
10 domicile of a parent, military guardian pursuant to a military-issued guardianship or court-appointed
11 legal guardian. For instances in which the family of a student living in Missouri co-locates to live
12 with other family members or live in a military family support community because one or both of
13 the child's parents are stationed or deployed out of state or deployed within Missouri under ~~[Title 32~~
14 ~~or Title 10]~~ active duty orders under Title 10 or Title 32 of the United States Code, the student may
15 attend the school district in which the family member's residence or family support community is
16 located. If the active duty orders expire during the school year, the student may finish the school
17 year in that district; or

18 (2) Proof that the person registering the student has requested a waiver under subsection 3 of
19 this section within the last forty-five days.

20
21 In instances where there is reason to suspect that admission of the pupil will create an immediate
22 danger to the safety of other pupils and employees of the district, the ~~[superintendent or the~~
23 ~~superintendent's designee]~~ school board may convene a hearing within five working days of the
24 request to register and determine whether or not the pupil may register.

25 3. Any person subject to the requirements of subsection 2 of this section may request a
26 waiver from the district board of any of those requirements on the basis of hardship or good cause.
27 Under no circumstances shall athletic ability be a valid basis of hardship or good cause for the
28 issuance of a waiver of the requirements of subsection 2 of this section. The district board or
29 committee of the board appointed by the president and which shall have full authority to act in lieu
30 of the board shall convene a hearing as soon as possible, but no later than forty-five days after
31 receipt of the waiver request made under this subsection or the waiver request shall be granted. The
32 district board or committee of the board may grant the request for a waiver of any requirement of
33 subsection 2 of this section. The district board or committee of the board may also reject the request
34 for a waiver in which case the pupil shall not be allowed to register. Any person aggrieved by a
35 decision of a district board or committee of the board on a request for a waiver under this subsection
36 may appeal such decision to the circuit court in the county where the school district is located.

37 4. Any person who knowingly submits false information to satisfy any requirement of
38 subsection 2 of this section is guilty of a class A misdemeanor.

39 5. In addition to any other penalties authorized by law, a district board may file a civil action
40 to recover, from the parent, military guardian or legal guardian of the pupil, the costs of school
41 attendance for any pupil who was enrolled at a school in the district and whose parent, military
42 guardian or legal guardian filed false information to satisfy any requirement of subsection 2 of this
43 section.

44 6. Subsection 2 of this section shall not apply to a pupil who is a homeless child or youth, or
45 a pupil attending a school not in the pupil's district of residence as a participant in an interdistrict
46 transfer program established under a court-ordered desegregation program, a pupil who is a ward of
47 the state and has been placed in a residential care facility by state officials, a pupil who has been
48 placed in a residential care facility due to a mental illness or developmental disability, a pupil
49 attending a school pursuant to sections 167.121 and 167.151, a pupil placed in a residential facility

1 by a juvenile court, a pupil with a disability identified under state eligibility criteria if the student is
 2 in the district for reasons other than accessing the district's educational program, or a pupil attending
 3 a regional or cooperative alternative education program or an alternative education program on a
 4 contractual basis.

5 7. Within two business days of enrolling a pupil, the school official enrolling a pupil,
 6 including any special education pupil, shall request those records required by district policy for
 7 student transfer and those discipline records required by subsection 9 of section 160.261 from all
 8 schools previously attended by the pupil within the last twelve months. Any school district that
 9 receives a request for such records from another school district enrolling a pupil that had previously
 10 attended a school in such district shall respond to such request within five business days of receiving
 11 the request. School districts may report or disclose education records to law enforcement and
 12 juvenile justice authorities if the disclosure concerns law enforcement's or juvenile justice
 13 authorities' ability to effectively serve, prior to adjudication, the student whose records are released.
 14 The officials and authorities to whom such information is disclosed must comply with applicable
 15 restrictions set forth in 20 U.S.C. Section 1232g(b)(1)(E).

16 167.031. 1. Every parent, guardian or other person in this state having charge, control or
 17 custody of a child not enrolled in a public, private, parochial, parish school or full-time equivalent
 18 attendance in a combination of such schools and between the ages of seven years and the
 19 compulsory attendance age for the district is responsible for enrolling the child in a program of
 20 academic instruction which complies with subsection 2 of this section. Any parent, guardian or
 21 other person who enrolls a child between the ages of five and seven years in a public school
 22 program of academic instruction shall cause such child to attend the academic program on a regular
 23 basis, according to this section. Nonattendance by such child shall cause such parent, guardian or
 24 other responsible person to be in violation of the provisions of section 167.061, except as provided
 25 by this section. A parent, guardian or other person in this state having charge, control, or custody of
 26 a child between the ages of seven years of age and the compulsory attendance age for the district
 27 shall cause the child to attend regularly some public, private, parochial, parish, home school or a
 28 combination of such schools not less than the entire school term of the school which the child
 29 attends; except that:

30 (1) A child who, to the satisfaction of the ~~[superintendent of public schools]~~ board of the
 31 district in which he or she resides~~], or if there is no superintendent then the chief school officer],~~ is
 32 determined to be mentally or physically incapacitated may be excused from attendance at school for
 33 the full time required, or any part thereof;

34 (2) A child between fourteen years of age and the compulsory attendance age for the district
 35 may be excused from attendance at school for the full time required, or any part thereof, by the
 36 ~~[superintendent of public schools]~~ board of the district, or if there is none then by a court of
 37 competent jurisdiction, when legal employment has been obtained by the child and found to be
 38 desirable, and after the parents or guardian of the child have been advised of the pending action; or

39 (3) A child between five and seven years of age shall be excused from attendance at school
 40 if a parent, guardian or other person having charge, control or custody of the child makes a written
 41 request that the child be dropped from the school's rolls.

42 2. (1) As used in sections 167.031 to 167.071, a "home school" is a school, whether
 43 incorporated or unincorporated, that:

44 (a) Has as its primary purpose the provision of private or religious-based instruction;

45 (b) Enrolls pupils between the ages of seven years and the compulsory attendance age for
 46 the district, of which no more than four are unrelated by affinity or consanguinity in the third
 47 degree; and

48 (c) Does not charge or receive consideration in the form of tuition, fees, or other
 49 remuneration in a genuine and fair exchange for provision of instruction.

1 (2) As evidence that a child is receiving regular instruction, the parent shall, except as
2 otherwise provided in this subsection:

3 (a) Maintain the following records:

4 a. A plan book, diary, or other written record indicating subjects taught and activities
5 engaged in; and

6 b. A portfolio of samples of the child's academic work; and

7 c. A record of evaluations of the child's academic progress; or

8 d. Other written, or credible evidence equivalent to subparagraphs a., b. and c.; and

9 (b) Offer at least one thousand hours of instruction, at least six hundred hours of which will
10 be in reading, language arts, mathematics, social studies and science or academic courses that are
11 related to the aforementioned subject areas and consonant with the pupil's age and ability. At least
12 four hundred of the six hundred hours shall occur at the regular home school location.

13 (3) The requirements of subdivision (2) of this subsection shall not apply to any pupil above
14 the age of sixteen years.

15 3. Nothing in this section shall require a private, parochial, parish or home school to include
16 in its curriculum any concept, topic, or practice in conflict with the school's religious doctrines or to
17 exclude from its curriculum any concept, topic, or practice consistent with the school's religious
18 doctrines. Any other provision of the law to the contrary notwithstanding, all departments or
19 agencies of the state of Missouri shall be prohibited from dictating through rule, regulation or other
20 device any statewide curriculum for private, parochial, parish or home schools.

21 4. A school year begins on the first day of July and ends on the thirtieth day of June
22 following.

23 5. The production by a parent of a daily log showing that a home school has a course of
24 instruction which satisfies the requirements of this section or, in the case of a pupil over the age of
25 sixteen years who attended a metropolitan school district the previous year, a written statement that
26 the pupil is attending home school in compliance with this section shall be a defense to any
27 prosecution under this section and to any charge or action for educational neglect brought pursuant
28 to chapter 210.

29 6. As used in sections 167.031 to 167.051, the term "compulsory attendance age for the
30 district" shall mean:

31 (1) Seventeen years of age for any metropolitan school district for which the school board
32 adopts a resolution to establish such compulsory attendance age; provided that such resolution shall
33 take effect no earlier than the school year next following the school year during which the resolution
34 is adopted; and

35 (2) Seventeen years of age or having successfully completed sixteen credits towards high
36 school graduation in all other cases. The school board of a metropolitan school district for which
37 the compulsory attendance age is seventeen years may adopt a resolution to lower the compulsory
38 attendance age to sixteen years; provided that such resolution shall take effect no earlier than the
39 school year next following the school year during which the resolution is adopted.

40 7. For purposes of subsection 2 of this section as applied in subsection 6 [~~herein~~] of this
41 section, a "completed credit towards high school graduation" shall be defined as one hundred hours
42 or more of instruction in a course. Home school education enforcement and records pursuant to this
43 section, and sections 210.167 and 211.031, shall be subject to review only by the local prosecuting
44 attorney.

45 167.091. 1. The school board of any district which has ten thousand inhabitants or more[.]
46 may establish and maintain from the public school funds one or more special truant or parental day
47 schools in the city or district for children who are either habitual truants from any school in which
48 they are enrolled as pupils, or who, while in attendance at any school are incorrigible, vicious or
49 immoral, or who habitually wander or loiter about the streets or roads or other public places without

1 lawful employment, or who, in the opinion of the board [~~or of its superintendent of instruction~~],
 2 require special attention and instruction. The school board [~~, through its officers,~~] may assign,
 3 require and compel all such children to attend the special truant or parental school or any
 4 department of the graded schools that the board directs.

5 2. The board may also establish and maintain from the public school funds, either within or
 6 without its district, a parental school for the care and education of any child resident of the school
 7 district and committed to it by a juvenile court under the provisions of section 211.181. For every
 8 child committed to the school there shall be paid to the board of education out of the treasury of the
 9 city or county the sum of ten dollars per month for the support, maintenance, clothing and other
 10 expenses of the child from the time of its entrance into the school until its discharge therefrom.

11 168.171. Each school board employing thirty or more teachers may employ a supervisor of
 12 physical education for the schools under its jurisdiction whose qualifications for service shall be
 13 established by the state board of education. The supervisor of physical education, under the
 14 direction of the [~~superintendent of schools~~] board of the district, shall supervise the teaching of all
 15 subjects related to physical education and the physical well-being of the children under his or her
 16 charge, direct the supervised play and gymnastics in the schools and control school athletics.
 17 School boards employing thirty or more teachers may employ, or otherwise provide or secure the
 18 service of, a supervisor of health and of one or more school nurses, who shall serve under the
 19 administration of the [~~superintendent of schools~~] board of the district. If the supervisor of physical
 20 education is qualified to perform the duties of supervisor of health, he or she may perform the duties
 21 of both offices. All duties performed by the supervisor of health or the school nurses shall be
 22 performed with the advice and cooperation of the director of the state department of health and
 23 senior services.

24 168.211. 1. In metropolitan districts the superintendent of schools shall be appointed by the
 25 board of education for a term of one to five years [~~, during which term his compensation shall not be~~
 26 ~~reduced~~]. The [~~superintendent of schools~~] board may appoint [~~, with the approval of the board,~~] a
 27 treasurer [~~;~~] and a commissioner of school buildings and [~~he~~] they shall serve at the pleasure of the
 28 [~~superintendent of schools and~~] board. The board may also appoint as many associate and assistant
 29 superintendents as [~~he~~] the board deems necessary, whose compensation shall be fixed by the board.
 30 The superintendent of schools shall give bond in the sum that the board requires but not less than
 31 fifty thousand dollars. No employee or agent of the board shall be a member of the board.

32 2. The [~~superintendent of schools~~] board shall have general supervision [~~, subject to policies~~
 33 ~~established by the board,~~] of the school system, including its various departments and physical
 34 properties, courses of instruction, discipline and conduct of the schools, textbooks and studies, and
 35 the superintendent shall enforce any decisions made by the board regarding these issues. All
 36 appointments, promotions and transfers of teachers and all other employees, and introduction and
 37 changes of textbooks and apparatus, shall be made by [~~the superintendent with the approval of~~] the
 38 board, and the superintendent shall enforce such decisions. All appointments and promotions of
 39 teachers and all other employees shall be made upon the basis of merit, to be ascertained, as far as
 40 practicable, in cases of appointment, by examination, and in cases of promotion, by length and
 41 character of service. Examinations for appointment shall be conducted by the [~~superintendent under~~
 42 ~~regulations to be made by the~~] board. [~~He~~] The superintendent shall make such reports to the board
 43 that it directs or the rules provide.

44 3. The [~~superintendent of schools~~] board shall have general supervision [~~, subject to policies~~
 45 ~~established by the board,~~] of all school buildings, apparatus, equipment and school grounds and of
 46 their construction, installation, operation, repair, care and maintenance; the purchasing of all
 47 supplies and equipment; the operation of the school lunchrooms; the administration of examinations
 48 for the appointment and promotion of all employees of the school system; and the preparation and
 49 administration of the annual budget for the school system, and the superintendent shall enforce any

1 decisions made by the board regarding these issues. [~~Subject to the approval of the board of~~
 2 ~~education as to number and salaries, the superintendent]~~ The board may appoint as many employees
 3 as are necessary for the proper performance of [his] the superintendent's duties.

4 4. The board may grant a leave of absence to the superintendent of schools, and may remove
 5 him or her from office by vote of a majority of its members.

6 5. Should the [~~superintendent]~~ board hire a commissioner of school buildings, said person
 7 shall be a person qualified by reason of education, experience and general familiarity with buildings
 8 and personnel to assume the following responsibilities and duties. Subject to the control of the
 9 [~~superintendent of schools]~~ board, he or she shall exercise supervision over all school buildings,
 10 machinery, heating systems, equipment, school grounds and other buildings and premises of the
 11 board of education and the construction, installation, operation, repair, care and maintenance related
 12 thereto and the personnel connected therewith; the purchasing of building supplies and equipment
 13 and such other duties as may be assigned to him or her by board rules or regulations.

14
 15
 16 173.262. 1. There is hereby established the "Marguerite Ross Barnett Competitiveness
 17 Scholarship Program", and any moneys appropriated by the general assembly for this program shall
 18 be used to provide scholarships for Missouri citizens to attend a Missouri college or university of
 19 their choice pursuant to the provisions of this section.

20 2. The definitions of terms set forth in section 173.205 shall be applicable to such terms as
 21 used in this section. The term "competitiveness scholarship" means an amount of money paid by
 22 the state of Missouri to a qualified college or university student pursuant to the provisions of this
 23 section.

24 3. The coordinating board for higher education shall be the administrative agency for the
 25 implementation of the program established by this section, and shall:

26 (1) Promulgate reasonable rules and regulations for the exercise of its functions and the
 27 effectuation of the purposes of this section;

28 (2) Prescribe the form and the time and method of awarding competitiveness scholarships,
 29 and shall supervise the processing thereof; and

30 (3) Select qualified recipients to receive competitiveness scholarships, make such awards of
 31 competitiveness scholarships to qualified recipients and determine the manner and method of
 32 payment to the recipient.

33 4. A student shall be eligible for initial or renewed competitiveness scholarship if, at the
 34 time of his or her application and throughout the period during which he or she is receiving such
 35 assistance, he or she is a part-time student who:

36 (1) Is eighteen years of age or older;

37 (2) Is employed twenty hours or more per week;

38 (3) [~~Is a citizen or a permanent resident of the United States;~~

39 ~~———(4)]~~ Is a resident of the state of Missouri, as determined by reference to standards
 40 promulgated pursuant to section 173.140;

41 [~~(5)]~~ (4) Is enrolled, or has been accepted for enrollment, as a part-time undergraduate
 42 student in an approved private or public institution; and

43 [~~(6)]~~ (5) Establishes financial need.

44 5. A recipient of competitiveness scholarship awarded under the provisions of this section
 45 may transfer from one approved Missouri public or private institution to another without losing
 46 eligibility for the scholarship. If a recipient of the scholarship at any time withdraws from an
 47 approved private or public institution so that under the rules and regulations of that institution he or
 48 she is entitled to a refund of any tuition, fees or other charges, the institution shall pay the portion of
 49 the refund attributable to the scholarship for that term to the coordinating board for higher

1 education.

2 173.1104. 1. An applicant shall be eligible for initial or renewed financial assistance only if,
3 at the time of application and throughout the period during which the applicant is receiving such
4 assistance, the applicant:

5 (1) ~~Is a citizen or a permanent resident of the United States;~~

6 ~~——(2)~~ Is a resident of the state of Missouri, as determined by reference to standards
7 promulgated by the coordinating board;

8 ~~[(3)]~~ (2) Is enrolled, or has been accepted for enrollment, as a full-time undergraduate
9 student in an approved private, public, or virtual institution; and

10 ~~[(4)]~~ (3) Is not enrolled or does not intend to use the award to enroll in a course of study
11 leading to a degree in theology or divinity.

12 2. If an applicant is found guilty of or pleads guilty to any criminal offense during the period
13 of time in which the applicant is receiving financial assistance, such applicant shall not be eligible
14 for renewal of such assistance, provided such offense would disqualify the applicant from receiving
15 federal student aid under Title IV of the Higher Education Act of 1965, as amended.

16 3. Financial assistance shall be allotted for one academic year, but a recipient shall be
17 eligible for renewed assistance until he or she has obtained a baccalaureate degree, provided such
18 financial assistance shall not exceed a total of ten semesters or fifteen quarters or their equivalent.
19 Standards of eligibility for renewed assistance shall be the same as for an initial award of financial
20 assistance, except that for renewal, an applicant shall demonstrate a grade-point average of two and
21 five-tenths on a four-point scale, or the equivalent on another scale. This subsection shall be
22 construed as the successor to section 173.215 for purposes of eligibility requirements of other
23 financial assistance programs that refer to section 173.215.

24 173.2505. 1. This section shall be known and may be cited as the "Dual Credit Scholarship
25 Act".

26 2. To be eligible to receive the dual credit scholarship, a student shall:

27 (1) ~~Be a United States citizen or permanent resident;~~

28 ~~——(2)~~ Be a Missouri resident as defined by the coordinating board for higher education
29 pursuant to section 173.005;

30 ~~[(3)]~~ (2) Be enrolled in a dual credit program offered by an approved dual credit provider,
31 as defined in section 173.2500;

32 ~~[(4)]~~ (3) Have a cumulative high school grade point average of at least two and a half on a
33 four point scale or equivalent; and

34 ~~[(5)]~~ (4) Meet one or more of the following indicators of economic need:

35 (a) Be individually eligible to be enrolled in a federal free or reduced-price lunch program,
36 based on income levels established by the United States Department of Agriculture;

37 (b) Reside in a foster home, be a ward of the state, or be homeless; or

38 (c) Receive low-income public assistance, such as the Supplemental Nutrition Assistance
39 Program (SNAP) or the Special Supplemental Nutrition Program for Women, Infants, and Children
40 (WIC), or live in federally subsidized public housing.

41 3. The dual credit scholarship is hereby created to provide financial assistance to high
42 school students enrolling in dual credit courses offered by an approved dual credit provider as
43 defined in section 173.2500. The coordinating board may promulgate rules for the administration of
44 the program including establishing the application, eligibility, and payment procedures. Any rule or
45 portion of a rule, as that term is defined in section 536.010, that is created under the authority
46 delegated in this section shall become effective only if it complies with and is subject to all of the
47 provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
48 nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to
49 review, to delay the effective date, or to disapprove and annul a rule are subsequently held

1 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
2 August 28, 2016, shall be invalid and void.

3 4. Subject to appropriation, the dual credit scholarship shall reimburse eligible students for
4 up to fifty percent of the tuition cost paid by the student to enroll in a dual credit course offered by
5 an approved dual credit provider.

6 5. No student shall receive in excess of five hundred dollars annually for all dual credit
7 courses taken by such student.

8 6. There is hereby created in the state treasury the "Dual Credit Scholarship Fund", which
9 shall consist of moneys appropriated to the fund by the general assembly and private donations
10 made to the fund. The state treasurer shall be the custodian of the fund and shall invest moneys in
11 the fund in the same manner as other funds are invested. Any interest and moneys earned on such
12 investments shall be credited to the fund. Notwithstanding the provisions of section 33.080 to the
13 contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit
14 of the general revenue fund.

15 173.2550. 1. The provisions of this section shall be known and may be cited as the "Make
16 America Great Again Act".

17 2. Notwithstanding any other provision of law, no person shall be denied any postsecondary
18 public education benefit based on the citizenship or immigration status, lawful or unlawful, of such
19 person.

20 178.411. 1. As used in this section, the following terms mean:

21 (1) "Board", state board of education;

22 (2) "Course", any unit of study for which an institution awards credit hours toward the
23 completion of an education program;

24 (3) "Fee", any tuition or fee or both charged by an institution for attendance at that
25 institution by a resident of this state;

26 (4) "Fee waiver", the relinquishment by the institution of its charge of fees to a homemaker
27 according to the provisions of this section;

28 (5) "Homemaker", an individual whose principal job has been homemaking, who has lost
29 his or her main source of income because of divorce, separation, death or disability of a spouse,
30 long-term family income below poverty level, or loss of eligibility for public assistance, and who
31 has not been employed on a full-time basis of forty hours per week for at least three years. Such
32 full-time employment shall not include seasonal occupations;

33 (6) "Institution", a public area vocational-technical school or a public community college as
34 established in this chapter;

35 (7) "Training program ready", the completion by a homemaker of a comprehensive
36 vocational assessment of interests, aptitudes and abilities inventories or tests to ensure appropriate
37 vocational educational placement from an approved vocational assessment/evaluation program,
38 including the completion of a vocational orientation involving career decision-making activities,
39 career exploration into nontraditional programs, new technologies and high demand occupations;

40 (8) "Vocational education program", an educational program for less than a baccalaureate
41 degree, the controlling purpose of which is to prepare for profitable employment.

42 2. The board shall be the administrative agency for the implementation of this section. The
43 board shall:

44 (1) Promulgate rules and regulations for the implementation of this section;

45 (2) Determine the procedures necessary for a homemaker to apply for and receive a fee
46 waiver and provide the necessary forms;

47 (3) Determine eligibility guidelines for an institution to follow in the event that more
48 homemakers apply for fee waivers in vocational education programs than the institution can
49 accommodate in any particular enrollment period;

1 (4) Determine guidelines for individual eligibility and minimum standards in order for a
2 homemaker to become and to remain eligible to receive a fee waiver, including becoming training
3 program ready;

4 (5) Distribute annual grants to the institutions within the amounts appropriated therefor
5 according to the provisions of this section.

6 3. No rule or portion of a rule promulgated under the authority of this section shall become
7 effective unless it has been promulgated pursuant to the provisions of section 536.024.

8 4. Any other provision of the law to the contrary notwithstanding, an institution may waive
9 the fee required for attendance in a vocational education program by a homemaker. Unless
10 otherwise required by federal law, the receipt of the fee waiver shall not cause a reduction from any
11 other agency benefits while the individual is enrolled in a vocational education program and for a
12 period of six months after exit to full-time unsubsidized employment.

13 5. Within the limits of the amounts appropriated therefor, the board shall award an annual
14 grant to each institution for fee waivers. The appropriated amount shall be divided between the area
15 vocational-technical schools and the community colleges and shall be distributed according to the
16 state plan for federal vocational education funds.

17 6. A homemaker may receive a fee waiver from an institution if at the time of application
18 and throughout the period during which the homemaker is receiving such waiver the homemaker is
19 a ~~[citizen or permanent resident of the United States, is a]~~ resident of the state of Missouri as defined
20 by the board~~[-]~~ and is enrolled or has been accepted for enrollment in a vocational education
21 program the purpose of which is to prepare for gainful employment. In no event shall a homemaker
22 receive additional fee waivers beyond the completion of the vocational education program for which
23 the homemaker is enrolled. A homemaker may change from one program to another prior to
24 completion of the original program without loss of eligibility; provided, however, that the total
25 credit hours for which fees are waived shall not exceed the equivalent credit hours of a community
26 college associate's degree.

27 7. Nothing in this section shall be construed as a promise or guarantee that a homemaker
28 will be admitted to an institution or to a particular program within that institution, that a homemaker
29 will be allowed to continue after having been admitted, or will be graduated from a program at an
30 institution. Each institution's rules and policies on student advancement shall apply to homemakers
31 receiving fee waivers. An institution may subsequently refuse to waive fees if the homemaker has
32 not made satisfactory progress or has withdrawn from the program prior to completion of the course
33 without cause according to the institution's rules.

34 ~~[173.1110. 1. No covered student unlawfully present in the United States shall~~
35 ~~receive a postsecondary education public benefit. Educational institutions awarding~~
36 ~~postsecondary education public benefits to covered students shall verify that these~~
37 ~~students are United States citizens, permanent residents, or lawfully present in the~~
38 ~~United States.~~

39 ~~2. The following documents, in hard copy or electronic form, may be used to~~
40 ~~document that a covered student is a United States citizen, permanent resident, or is~~
41 ~~lawfully present in the United States:~~

42 ~~(1) The Free Application for Student Aid Institutional Student Information Record;~~

43 ~~(2) A state-issued driver's license;~~

44 ~~(3) A state-issued nondriver's identification card;~~

45 ~~(4) Documentary evidence recognized by the department of revenue when~~
46 ~~processing an application for a driver's license or nondriver's identification card;~~

47 ~~(5) A United States birth certificate;~~

48 ~~(6) A United States military identification card; or~~

49 ~~(7) Any document issued by the federal government that confirms an alien's lawful~~

1 presence in the United States.

2 ~~3. All postsecondary higher education institutions shall annually certify to the~~
 3 ~~department of higher education that they have not knowingly awarded a~~
 4 ~~postsecondary education public benefit to a covered student who is unlawfully~~
 5 ~~present in the United States.~~

6 4. As used in this section, the following terms shall mean:

7 (1) "Covered student", a student eighteen years of age or older, who has graduated
 8 from high school and is attending classes on the campus of a postsecondary
 9 educational institution during regularly scheduled academic sessions;

10 (2) "Postsecondary education public benefit", institutional financial aid awarded by
 11 public postsecondary educational institutions and state-administered postsecondary
 12 grants and scholarships awarded by all postsecondary educational institutions to
 13 covered students.]

14
 15 ~~[208.009. 1. No alien unlawfully present in the United States shall receive any state~~
 16 ~~or local public benefit, except for state or local public benefits that may be offered~~
 17 ~~under 8 U.S.C. 1621(b). Nothing in this section shall be construed to prohibit the~~
 18 ~~rendering of emergency medical care, prenatal care, services offering alternatives to~~
 19 ~~abortion, emergency assistance, or legal assistance to any person.~~

20 2. As used in this section, "public benefit" means any grant, contract, or loan
 21 provided by an agency of state or local government; or any retirement, welfare,
 22 health, disability, housing, or food assistance benefit under which payments,
 23 assistance, credits, or reduced rates or fees are provided. The term "public benefit"
 24 shall not include postsecondary education public benefits as defined in section
 25 173.1110, any municipal permit, or contracts or agreements between public utility
 26 providers and their customers or unemployment benefits payable under chapter 288.
 27 The unemployment compensation program shall verify the lawful presence of an
 28 alien for the purpose of determining eligibility for benefits in accordance with its
 29 own procedures.

30 3. In addition to providing proof of other eligibility requirements, at the time of
 31 application for any state or local public benefit, an applicant who is eighteen years of
 32 age or older shall provide affirmative proof that the applicant is a citizen or a
 33 permanent resident of the United States or is lawfully present in the United States.
 34 Such affirmative proof shall include documentary evidence recognized by the
 35 department of revenue when processing an application for a driver's license, a
 36 Missouri driver's license, as well as any document issued by the federal government
 37 that confirms an alien's lawful presence in the United States. In processing
 38 applications for public benefits, an employee of an agency of state or local
 39 government shall not inquire about the legal status of a custodial parent or guardian
 40 applying for a public benefit on behalf of his or her dependent child who is a citizen
 41 or permanent resident of the United States.

42 4. An applicant who cannot provide the proof required under this section at the time
 43 of application may alternatively sign an affidavit under oath, attesting to either
 44 United States citizenship or classification by the United States as an alien lawfully
 45 admitted for permanent residence, in order to receive temporary benefits or a
 46 temporary identification document as provided in this section. The affidavit shall be
 47 on or consistent with forms prepared by the state or local government agency
 48 administering the state or local public benefits and shall include the applicant's Social
 49 Security number or any applicable federal identification number and an explanation

1 of the penalties under state law for obtaining public assistance benefits fraudulently.
2 ~~5. An applicant who has provided the sworn affidavit required under subsection 4 of~~
3 ~~this section is eligible to receive temporary public benefits as follows:~~
4 ~~(1) For ninety days or until such time that it is determined that the applicant is not~~
5 ~~lawfully present in the United States, whichever is earlier; or~~
6 ~~(2) Indefinitely if the applicant provides a copy of a completed application for a birth~~
7 ~~certificate that is pending in Missouri or some other state. An extension granted~~
8 ~~under this subsection shall terminate upon the applicant's receipt of a birth certificate~~
9 ~~or a determination that a birth certificate does not exist because the applicant is not a~~
10 ~~United States citizen.~~
11 ~~6. An applicant who is an alien shall not receive any state or local public benefit~~
12 ~~unless the alien's lawful presence in the United States is first verified by the federal~~
13 ~~government. State and local agencies administering public benefits in this state shall~~
14 ~~cooperate with the United States Department of Homeland Security in achieving~~
15 ~~verification of an alien's lawful presence in the United States in furtherance of this~~
16 ~~section. The system utilized may include the Systematic Alien Verification for~~
17 ~~Entitlements Program operated by the United States Department of Homeland~~
18 ~~Security. After an applicant's lawful presence in the United States has been verified~~
19 ~~through the Systematic Alien Verification for Entitlements Program, no additional~~
20 ~~verification is required within the same agency of the state or local government.~~
21 ~~7. The provisions of this section shall not be construed to require any nonprofit~~
22 ~~organization duly registered with the Internal Revenue Service to enforce the~~
23 ~~provisions of this section, nor does it prohibit such an organization from providing~~
24 ~~aid.~~
25 ~~8. Any agency that administers public benefits shall provide assistance in obtaining~~
26 ~~appropriate documentation to persons applying for public benefits who sign the~~
27 ~~affidavit required by subsection 4 of this section stating they are eligible for such~~
28 ~~benefits but lack the documents required under subsection 3 of this section.]"~~; and
29

30 Further amend said bill by amending the title, enacting clause, and intersectional references
31 accordingly.