

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 218
100TH GENERAL ASSEMBLY

0851H.07C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 160.410, 161.825, 162.720, 163.018, 167.268, 167.645, 168.133, 171.031, 178.530, and 304.060, RSMo, and to enact in lieu thereof twenty-five new sections relating to elementary and secondary education, with an emergency clause for a certain section and a delayed effective date for a certain section.

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

Section A. Sections 160.410, 161.825, 162.720, 163.018, 167.268, 167.645, 168.133, 171.031, 178.530, and 304.060, RSMo, are repealed and twenty-five new sections enacted in lieu thereof, to be known as sections 67.139, 160.410, 161.089, 161.825, 161.1080, 161.1085, 161.1090, 161.1095, 161.1100, 161.1105, 161.1110, 161.1115, 161.1120, 161.1125, 161.1130, 162.703, 162.720, 163.018, 167.268, 167.645, 168.133, 170.020, 171.031, 178.530, and 304.060, to read as follows:

67.139. 1. A political subdivision shall not adopt, enforce, impose, or administer an ordinance, local policy, or local resolution that prohibits property sold, leased, or transferred by the political subdivision from being used for any lawful educational purpose by a charter school.

2. A political subdivision shall not impose, enforce, or apply any deed restriction that expressly, or by its operation, prohibits property sold, leased, or transferred by the political subdivision from being used for any lawful educational purpose by a charter school. Any deed restriction or affirmative use deed restriction that affirmatively allows for only one or more specified uses or purposes that do not include any educational use or purpose is prohibited under this section. Any deed restriction or affirmative use deed restriction in effect on the effective date of this section that prohibits or does not permit

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

12 **property previously used for any educational purpose from being used for any future**
13 **educational purpose is void.**

14 **3. If a political subdivision offers property of the political subdivision for sale, lease,**
15 **or rent, the political subdivision shall not refuse to sell, lease, or rent the property to a**
16 **charter school solely because the charter school intends to use the property for an**
17 **educational purpose, if the intent of the charter school is to use the property for a lawful**
18 **educational purpose. If a political subdivision offers property of the political subdivision**
19 **for sale, lease, or rent, the political subdivision is not required to sell, lease, or rent the**
20 **property to a charter school solely because the charter school intends to use the property**
21 **for an educational purpose.**

22 **4. Any ordinance, policy, regulation, deed, or contract made in violation of this**
23 **section shall be void from its inception.**

160.410. 1. A charter school shall enroll:

- 2 (1) All pupils resident in the district in which it operates;
- 3 (2) Nonresident pupils eligible to attend a district's school under an urban voluntary
4 transfer program;
- 5 (3) Nonresident pupils who transfer from an unaccredited district under section 167.131,
6 provided that the charter school is an approved charter school, as defined in section 167.131, and
7 subject to all other provisions of section 167.131;
- 8 (4) In the case of a charter school whose mission includes student drop-out prevention
9 or recovery, any nonresident pupil from the same or an adjacent county who resides in a
10 residential care facility, a transitional living group home, or an independent living program
11 whose last school of enrollment is in the school district where the charter school is established,
12 who submits a timely application; and
- 13 (5) In the case of a workplace charter school, any student eligible to attend under
14 subdivision (1) or (2) of this subsection whose parent is employed in the business district, who
15 submits a timely application, unless the number of applications exceeds the capacity of a
16 program, class, grade level or building. The configuration of a business district shall be set forth
17 in the charter and shall not be construed to create an undue advantage for a single employer or
18 small number of employers.

19 2. If capacity is insufficient to enroll all pupils who submit a timely application, the
20 charter school shall have an admissions process that assures all applicants of an equal chance of
21 gaining admission and does not discriminate based on parents' ability to pay fees or tuition
22 except that:

- 23 (1) A charter school may establish a geographical area around the school whose residents
24 will receive a preference for enrolling in the school, provided that such preferences do not result

25 in the establishment of racially or socioeconomically isolated schools and provided such
26 preferences conform to policies and guidelines established by the state board of education;

27 (2) A charter school may also give a preference for admission of children whose siblings
28 attend the school or whose parents are employed at the school or in the case of a workplace
29 charter school, a child whose parent is employed in the business district or at the business site
30 of such school; ~~and~~

31 (3) Charter schools may also give a preference for admission to high-risk students, as
32 defined in subdivision (5) of subsection 2 of section 160.405, when the school targets these
33 students through its proposed mission, curriculum, teaching methods, and services[-] ; **and**

34 **(4) A charter school may also give preference for admission to students who will**
35 **be eligible for the free and reduced price lunch program in the upcoming year.**

36 3. A charter school shall not limit admission based on race, ethnicity, national origin,
37 disability, income level, **except as allowed under subdivision (4) of subsection 2 of this**
38 **section**, proficiency in the English language or athletic ability, but may limit admission to pupils
39 within a given age group or grade level. Charter schools may limit admission based on gender
40 only when the school is a single-gender school. Students of a charter school who have been
41 enrolled for a full academic year shall be counted in the performance of the charter school on the
42 statewide assessments in that calendar year, unless otherwise exempted as English language
43 learners. For purposes of this subsection, "full academic year" means the last Wednesday in
44 September through the administration of the Missouri assessment program test without
45 transferring out of the school and re-enrolling.

46 4. A charter school shall make available for public inspection, and provide upon request,
47 to the parent, guardian, or other custodian of any school-age pupil resident in the district in which
48 the school is located the following information:

49 (1) The school's charter;

50 (2) The school's most recent annual report card published according to section 160.522;

51 (3) The results of background checks on the charter school's board members; and

52 (4) If a charter school is operated by a management company, a copy of the written
53 contract between the governing board of the charter school and the educational management
54 organization or the charter management organization for services. The charter school may
55 charge reasonable fees, not to exceed the rate specified in section 610.026 for furnishing copies
56 of documents under this subsection.

57 5. When a student attending a charter school who is a resident of the school district in
58 which the charter school is located moves out of the boundaries of such school district, the
59 student may complete the current semester and shall be considered a resident student. The

60 student's parent or legal guardian shall be responsible for the student's transportation to and from
61 the charter school.

62 6. If a change in school district boundary lines occurs under section 162.223, 162.431,
63 162.441, or 162.451, or by action of the state board of education under section 162.081,
64 including attachment of a school district's territory to another district or dissolution, such that a
65 student attending a charter school prior to such change no longer resides in a school district in
66 which the charter school is located, then the student may complete the current academic year at
67 the charter school. The student shall be considered a resident student. The student's parent or
68 legal guardian shall be responsible for the student's transportation to and from the charter school.

69 7. The provisions of sections 167.018 and 167.019 concerning foster children's
70 educational rights are applicable to charter schools.

**161.089. 1. For purposes of this section, the term "accreditation standards" means
2 the standards of the Missouri school improvement program or its successor accreditation
3 program.**

4 **2. The state board of education shall modify accreditation standards for special
5 school districts to reflect the educational needs of students served by such districts and
6 appropriately measure the performance of the students.**

7 **3. Before July 1, 2020, the state board of education shall, through administrative
8 rule, adopt modified accreditation standards for special school districts. Any rule or
9 portion of a rule, as that term is defined in section 536.010, that is created under the
10 authority delegated in this section shall become effective only if it complies with and is
11 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This
12 section and chapter 536 are nonseverable, and if any of the powers vested with the general
13 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove
14 and annul a rule are subsequently held unconstitutional, then the grant of rulemaking
15 authority and any rule proposed or adopted after August 28, 2019, shall be invalid and
16 void.**

161.825. 1. This section shall be known and may be cited as "Bryce's Law".

2 2. As used in this section, the following terms mean:

3 (1) "Autism spectrum disorder", pervasive developmental disorder; Asperger syndrome;
4 childhood disintegrative disorder; Rett syndrome; and autism;

5 (2) "Contribution", a donation of cash, stock, bonds, or other marketable securities, or
6 real property;

7 (3) "Department", ~~[the department of elementary and secondary education]~~ **the office
8 of the state treasurer;**

9 (4) "Director", ~~[the commissioner of education]~~ **the state treasurer;**

10 (5) "Dyslexia therapy", an appropriate specialized dyslexia instructional program that
11 is systematic, multisensory, and research-based offered in a small group setting to teach students
12 the components of reading instruction including but not limited to phonemic awareness,
13 graphophonemic knowledge, morphology, semantics, syntax, and pragmatics, instruction on
14 linguistic proficiency and fluency with patterns of language so that words and sentences are
15 carriers of meaning, and strategies that students use for decoding, encoding, word recognition,
16 fluency and comprehension delivered by qualified personnel;

17 (6) "Educational scholarships", grants to students or children to cover all or part of the
18 tuition and fees at a qualified nonpublic school, a qualified public school, or a qualified service
19 provider, including transportation;

20 (7) "Eligible child", any child from birth to age five living in Missouri who has an
21 individualized family services program under the first steps program, sections 160.900 to
22 ~~[160.933]~~ **160.925**, and whose parent or guardian has completed the complaint procedure under
23 the Individuals with Disabilities Education Act, Part C, and has received an unsatisfactory
24 response; or any child from birth to age five who has been evaluated for qualifying needs as
25 defined in this section by a person qualified to perform evaluations under the first steps program
26 and has been determined to have a qualifying need but who falls below the threshold for
27 eligibility by no less than twenty-five percent;

28 (8) "Eligible student", any elementary or secondary student who attended public school
29 in Missouri the preceding semester, or who will be attending school in Missouri for the first time,
30 who has an individualized education program based on a qualifying needs condition or who has
31 a medical or clinical diagnosis by a qualified health professional of a qualifying needs condition
32 which in the case of dyslexia, may be based on the C-TOPP assessment as an initial indicator of
33 dyslexia and confirmed by further medical or clinical diagnosis;

34 (9) "Parent", includes a guardian, custodian, or other person with authority to act on
35 behalf of the student or child;

36 (10) "Program", the program established in this section;

37 (11) "Qualified health professional", a person licensed under chapter 334 or 337 who
38 possesses credentials as described in rules promulgated jointly by the department of elementary
39 and secondary education and the department of mental health to make a diagnosis of a student's
40 qualifying needs for this program;

41 (12) "Qualified school", either an accredited public elementary or secondary school in
42 a district that is accredited without provision outside of the district in which a student resides or
43 an accredited nonpublic elementary or secondary school in Missouri that complies with all of the
44 requirements of the program and complies with all state laws that apply to nonpublic schools

45 regarding criminal background checks for employees and excludes from employment any person
46 not permitted by state law to work in a nonpublic school;

47 (13) "Qualified service provider", a person or agency authorized by the department of
48 **elementary and secondary education** to provide services under the first steps program, sections
49 160.900 to ~~[160.933]~~ **160.925**, and in the case of a provider offering dyslexia therapy, the term
50 also includes a person with national certification as an academic language therapist;

51 (14) "Qualifying needs", an autism spectrum disorder, Down Syndrome, Angelman
52 Syndrome, cerebral palsy, or dyslexia;

53 (15) "Scholarship granting organization", a charitable organization that:

54 (a) Is exempt from federal income tax;

55 (b) Complies with the requirements of this program;

56 (c) Provides education scholarships to students attending qualified schools of their
57 parents' choice or to children receiving services from qualified service providers; and

58 (d) Does not accept contributions on behalf of any eligible student or eligible child from
59 any donor with any obligation to provide any support for the eligible student or eligible child.

60 3. The department ~~[of elementary and secondary education]~~ shall develop a master list
61 of resources available to the parents of children with an autism spectrum disorder or dyslexia and
62 shall maintain a web page for the information. The department shall also actively seek financial
63 resources in the form of grants and donations that may be devoted to scholarship funds or to
64 clinical trials for behavioral interventions that may be undertaken by qualified service providers.
65 The department may contract out or delegate these duties to a nonprofit organization. Priority
66 in referral for funding shall be given to children who have not yet entered elementary school.

67 4. The director shall determine, at least annually, which organizations in this state may
68 be classified as scholarship granting organizations. The director may require of an organization
69 seeking to be classified as a scholarship granting organization whatever information that is
70 reasonably necessary to make such a determination. The director shall classify an organization
71 as a scholarship granting organization if such organization meets the definition set forth in this
72 section.

73 5. The director shall establish a procedure by which a donor can determine if an
74 organization has been classified as a scholarship granting organization. Scholarship granting
75 organizations shall be permitted to decline a contribution from a donor.

76 6. Each scholarship granting organization shall provide information to the director
77 concerning the identity of each donor making a contribution to the scholarship granting
78 organization.

79 7. (1) The director shall annually make a determination on the number of students in
80 Missouri with an individualized education program based upon qualifying needs as defined in

81 this section. The director shall use ten percent of this number to determine the maximum
82 number of students to receive scholarships from a scholarship granting organization in that year
83 for students with qualifying needs who have at the time of application an individualized
84 education program, plus a number calculated by the director by applying the state's latest
85 available autism, cerebral palsy, Down Syndrome, Angelman Syndrome, and dyslexia incidence
86 rates to the state's population of children from age five to nineteen who are not enrolled in public
87 schools and taking ten percent of that number. The total of these two calculations shall
88 constitute the maximum number of scholarships available to students.

89 (2) The director shall also annually make a determination on the number of children in
90 Missouri whose parent or guardian has enrolled the child in first steps, received an individualized
91 family services program based on qualifying needs, and filed a complaint through the
92 Individuals with Disabilities Education Act, Part C, and received an unsatisfactory response. In
93 addition to this number, the director shall apply the latest available autism, cerebral palsy, Down
94 Syndrome, Angelman Syndrome, and dyslexia incidence rates to the latest available census
95 information for children from birth to age five and determine ten percent of that number for the
96 maximum number of scholarships for children.

97 (3) The director shall publicly announce the number of each category of scholarship
98 opportunities available each year. Once a scholarship granting organization has decided to
99 provide a student or child with a scholarship, it shall promptly notify the director. The director
100 shall keep a running tally of the number of scholarships granted in the order in which they were
101 reported. Once the tally reaches the annual limit of scholarships for eligible students or children,
102 the director shall notify all of the participating scholarship granting organizations that they shall
103 not issue any more scholarships and any more receipts for contributions. If the scholarship
104 granting organizations have not expended all of their available scholarship funds in that year at
105 the time when the limit is reached, the available scholarship funds may be carried over into the
106 next year. These unexpended funds shall not be counted as part of the requirement in
107 subdivision (3) of subsection 8 of this section for that year. Any receipt for a scholarship
108 contribution issued by a scholarship granting organization before the director has publicly
109 announced the student or child limit has been reached shall be valid. Beginning with school year
110 2016-17, the director may adjust the allocation of the proportion of scholarships using
111 information on unmet need and use patterns from the previous school years. The director shall
112 provide notice of the change to the state board of education for its approval.

113 8. Each scholarship granting organization participating in the program shall:

114 (1) Notify the department of its intent to provide educational scholarships to students
115 attending qualified schools or children receiving services from qualified service providers;

- 116 (2) Provide a department-approved receipt to donors for contributions made to the
117 organization;
- 118 (3) Ensure that at least ninety percent of its revenue from donations is spent on
119 educational scholarships, and that all revenue from interest or investments is spent on
120 educational scholarships;
- 121 (4) Ensure that the scholarships provided do not exceed an average of twenty thousand
122 dollars per eligible child or fifty thousand dollars per eligible student;
- 123 (5) Inform the parent or guardian of the student or child applying for a scholarship that
124 accepting the scholarship is tantamount to a parentally placed private school student pursuant to
125 34 CFR 300.130 and, thus, neither the department **of elementary and secondary education** nor
126 any Missouri public school is responsible to provide the student with a free appropriate public
127 education pursuant to the Individuals with Disabilities Education Act or Section 504 of the
128 Rehabilitation Act of 1973;
- 129 (6) Distribute periodic scholarship payments as checks made out to a student's or child's
130 parent and mailed to the qualified school where the student is enrolled or qualified service
131 provider used by the child. The parent or guardian shall endorse the check before it can be
132 deposited;
- 133 (7) Cooperate with the department to conduct criminal background checks on all of its
134 employees and board members and exclude from employment or governance any individual who
135 might reasonably pose a risk to the appropriate use of contributed funds;
- 136 (8) Ensure that scholarships are portable during the school year and can be used at any
137 qualified school that accepts the eligible student or at a different qualified service provider for
138 an eligible child according to a parent's wishes. If a student moves to a new qualified school
139 during a school year or to a different qualified service provider for an eligible child, the
140 scholarship amount may be prorated;
- 141 (9) Demonstrate its financial accountability by:
- 142 (a) Submitting a financial information report for the organization that complies with
143 uniform financial accounting standards established by the department and conducted by a
144 certified public accountant; and
- 145 (b) Having the auditor certify that the report is free of material misstatements;
- 146 (10) Demonstrate its financial viability, if the organization is to receive donations of fifty
147 thousand dollars or more during the school year, by filing with the department before the start
148 of the school year:
- 149 (a) A surety bond payable to the state in an amount equal to the aggregate amount of
150 contributions expected to be received during the school year; or

151 (b) Financial information that demonstrates the financial viability of the scholarship
152 granting organization.

153 9. Each scholarship granting organization shall ensure that each participating school or
154 service provider that accepts its scholarship students or children shall:

155 (1) Comply with all health and safety laws or codes that apply to nonpublic schools or
156 service providers;

157 (2) Hold a valid occupancy permit if required by its municipality;

158 (3) Certify that it will comply with 42 U.S.C. Section 1981, as amended;

159 (4) Provide academic accountability to parents of the students or children in the program
160 by regularly reporting to the parent on the student's or child's progress;

161 (5) Certify that in providing any educational services or behavior strategies to a
162 scholarship recipient with a medical or clinical diagnosis of or an individualized education
163 program based upon autism spectrum disorder it will:

164 (a) Adhere to the best practices recommendations of the Missouri Autism Guidelines
165 Initiative or document why it is varying from the guidelines;

166 (b) Not use any evidence-based interventions that have been found ineffective by the
167 Centers for Medicare and Medicaid Services as described in the Missouri Autism Guidelines
168 Initiative guide to evidence-based interventions; and

169 (c) Provide documentation in the student's or child's record of the rationale for the use
170 of any intervention that is categorized as unestablished, insufficient evidence, or level 3 by the
171 Missouri Autism Guidelines Initiative guide to evidence-based interventions; and

172 (6) Certify that in providing any educational services or behavior strategies to a
173 scholarship recipient with a medical or clinical diagnosis of, or an individualized family services
174 program based upon Down Syndrome, Angelman Syndrome, cerebral palsy, or dyslexia, it will
175 use student, teacher, teaching, and school influences that rank in the zone of desired effects in
176 the meta-analysis of John Hattie, or equivalent analyses as determined by the department, or
177 document why it is using a method that has not been determined by analysis to rank in the zone
178 of desired effects.

179 10. Scholarship granting organizations shall not provide educational scholarships for
180 students to attend any school or children to receive services from any qualified service provider
181 with paid staff or board members who are relatives within the first degree of consanguinity or
182 affinity.

183 11. A scholarship granting organization shall publicly report to the department, by June
184 first of each year, the following information prepared by a certified public accountant regarding
185 its grants in the previous calendar year:

186 (1) The name and address of the scholarship granting organization;

187 (2) The total number and total dollar amount of contributions received during the
188 previous calendar year; and

189 (3) The total number and total dollar amount of educational scholarships awarded during
190 the previous calendar year, including the category of each scholarship, and the total number and
191 total dollar amount of educational scholarships awarded during the previous year to students
192 eligible for free and reduced lunch.

193 12. The department shall adopt rules and regulations consistent with this section as
194 necessary to implement the program.

195 13. The department shall provide a standardized format for a receipt to be issued by a
196 scholarship granting organization to a donor to indicate the value of a contribution received.

197 14. The department shall provide a standardized format for scholarship granting
198 organizations to report the information in this section.

199 15. The department may conduct either a financial review or audit of a scholarship
200 granting organization.

201 16. If the department believes that a scholarship granting organization has intentionally
202 and substantially failed to comply with the requirements of this section, the department may hold
203 a hearing before the director or the director's designee to bar a scholarship granting organization
204 from participating in the program. The director or the director's designee shall issue a decision
205 within thirty days. A scholarship granting organization may appeal the director's decision to the
206 administrative hearing commission for a hearing in accordance with the provisions of chapter
207 621.

208 17. If the scholarship granting organization is barred from participating in the program,
209 the department shall notify affected scholarship students or children and their parents of this
210 decision within fifteen days.

211 18. Any rule or portion of a rule, as that term is defined in section 536.010, that is
212 created under the authority delegated in this section shall become effective only if it complies
213 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
214 This section and chapter 536 are nonseverable and if any of the powers vested with the general
215 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and
216 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and
217 any rule proposed or adopted after August 28, 2013, shall be invalid and void.

218 19. The department shall conduct a study of the program with funds other than state
219 funds. The department may contract with one or more qualified researchers who have previous
220 experience evaluating similar programs. The department may accept grants to assist in funding
221 this study.

222 20. The study shall assess:

223 (1) The level of participating students' and children's satisfaction with the program in a
224 manner suitable to the student or child;

225 (2) The level of parental satisfaction with the program;

226 (3) The percentage of participating students who were bullied or harassed because of
227 their special needs status at their resident school district compared to the percentage so bullied
228 or harassed at their qualified school;

229 (4) The percentage of participating students who exhibited behavioral problems at their
230 resident school district compared to the percentage exhibiting behavioral problems at their
231 qualified school;

232 (5) The class size experienced by participating students at their resident school district
233 and at their qualified school; and

234 (6) The fiscal impact to the state and resident school districts of the program.

235 21. The study shall be completed using appropriate analytical and behavioral sciences
236 methodologies to ensure public confidence in the study.

237 22. The department shall provide the general assembly with a final copy of the
238 evaluation of the program by December 31, 2016.

239 23. The public and nonpublic participating schools and service providers from which
240 students transfer to participate in the program shall cooperate with the research effort by
241 providing student or child assessment instrument scores and any other data necessary to complete
242 this study.

243 24. The general assembly may require periodic updates on the status of the study from
244 the department. The individuals completing the study shall make their data and methodology
245 available for public review while complying with the requirements of the Family Educational
246 Rights and Privacy Act, as amended.

247 25. ~~Under~~ **The provisions of** section 23.253 of the Missouri sunset act[:

248 ~~—(1) The provisions of the new program authorized under this section shall sunset~~
249 ~~automatically on December 31, 2019, unless reauthorized by an act of the general assembly; and~~

250 ~~—(2) If such program is reauthorized, the program authorized under this section shall~~
251 ~~sunset automatically on December 31, 2031; and~~

252 ~~—(3) This section shall terminate on December thirty-first of the calendar year immediately~~
253 ~~following the calendar year in which the program authorized under this section is sunset] **shall**~~
254 **not apply to this section.**

161.1080. Sections 161.1080 to 161.1130 shall be known and may be cited as the
2 **"School Turnaround Act".**

161.1085. For purposes of sections 161.1080 to 161.1130, the following terms mean:

2 **(1) "Department", the department of elementary and secondary education;**

3 (2) "Governing board", the board of education of a district or the governing board
4 of a charter school that has declared itself a local educational agency;

5 (3) "Initial remedial year", the year in which a district school or charter school is
6 designated as a school in need of intervention under section 161.1090;

7 (4) "Local educational agency", any school district and any charter school that has
8 declared itself a local educational agency;

9 (5) "School", a public school under the control of a local educational agency;

10 (6) "School in need of intervention", a school that has been designated as in need
11 of intervention by the department according to an outcome-based measure as determined
12 by the department under section 161.1090, which may include, but shall not be required
13 to include, schools identified for intervention under the state's Every Student Succeeds Act
14 plan;

15 (7) "Statewide assessment", any test of student achievement in English language
16 arts, mathematics, or science, including any such test administered in a computer-adaptive
17 format, that is administered statewide under section 160.518.

 161.1090. 1. Subject to appropriation, the department shall establish a school
2 turnaround program to assist schools designated by the department as in need of
3 intervention in accordance with the provisions of sections 161.1080 to 161.1130.

4 2. The department shall use an outcome-based measure to set criteria for the
5 designation of schools in need of intervention.

6 3. No more than one month after statewide assessment results are made public, the
7 department shall designate specific schools as in need of intervention. The department
8 shall designate a school as in need of intervention only if sufficient funds are available in
9 the school turnaround fund established in section 161.1105 to pay an independent school
10 turnaround expert.

11 4. The department shall determine the specific criteria that a school shall be
12 required to meet in order to exit the school turnaround program based on the same
13 outcome-based measure that was used to designate the school as in need of intervention.

14 5. The department shall not designate any school as in need of intervention before
15 September 1, 2020.

16 6. Nothing in this section shall prohibit the criteria established under this section
17 from satisfying a school's requirement for intervention under the Every Student Succeeds
18 Act.

 161.1095. 1. Before October first of an initial remedial year, the governing board
2 of any local educational agency with a school in need of intervention shall establish a school
3 turnaround committee composed of the following members:

- 4 **(1) One member of the governing board;**
5 **(2) The school principal;**
6 **(3) Three parents of students enrolled in the school, appointed by the local**
7 **parent-teacher association;**
8 **(4) Four teachers at the school, appointed by the principal; and**
9 **(5) The district's chief financial officer or equivalent.**
- 10 **2. Before October fifteenth of an initial remedial year, the governing board of any**
11 **local educational agency with a school in need of intervention shall partner with the school**
12 **turnaround committee to select an independent school turnaround expert from the experts**
13 **identified by the department under section 161.1100.**
- 14 **3. The governing board shall not select an independent school turnaround expert**
15 **that is:**
- 16 **(1) The local educational agency with the school in need of intervention; or**
17 **(2) An employee of the local educational agency with the school in need of**
18 **intervention.**
- 19 **4. A school turnaround committee shall partner with the independent school**
20 **turnaround expert selected under subsection 2 of this section to develop and implement a**
21 **school turnaround plan that includes:**
- 22 **(1) The findings of the analysis conducted by the independent school turnaround**
23 **expert on the data described in subdivision (1) of subsection 1 of section 161.1100;**
24 **(2) Recommendations regarding changes to the school's personnel, culture,**
25 **curriculum, assessments, instructional practices, digital tools and other methods for**
26 **teaching and learning, governance, leadership, finances, policies, or other areas that may**
27 **be necessary to implement the school turnaround plan;**
28 **(3) Measurable student achievement goals and objectives;**
29 **(4) A professional development plan that identifies a strategy to address problems**
30 **of instructional practice;**
31 **(5) A leadership development plan focused on proven strategies to turn around**
32 **schools in need of intervention that align with administrator standards developed under**
33 **section 168.410;**
34 **(6) A detailed budget specifying how the school turnaround plan will be funded;**
35 **(7) A plan to assess and monitor progress;**
36 **(8) A plan to communicate and report data on progress to stakeholders; and**
37 **(9) A time line for implementation.**
- 38 **5. Any local educational agency with a school in need of intervention shall:**
39 **(1) Prioritize funding and resources to the school in need of intervention; and**

40 **(2) Grant the school in need of intervention streamlined authority over staff,**
41 **schedule, policies, budget, and academic programs to implement the school turnaround**
42 **plan.**

43 **6. Before March first of an initial remedial year, a school turnaround committee**
44 **shall submit the school turnaround plan to the governing board for approval.**

45 **7. Except as provided in subsection 8 of this section, before April first of an initial**
46 **remedial year, the governing board shall submit the school turnaround plan to the**
47 **department for approval.**

48 **8. If the governing board does not approve the school turnaround plan submitted**
49 **under subsection 6 of this section, the school turnaround committee may submit a new or**
50 **revised school turnaround plan to the governing board for approval. In order to allow**
51 **additional time for the governing board to consider a new or revised school turnaround**
52 **plan, the rules may extend the April first deadline for the governing board to submit the**
53 **school turnaround plan to the department. The department shall not approve a school**
54 **turnaround plan unless such plan has been approved by the governing board of the school**
55 **in need of intervention.**

161.1100. 1. Before August 30, 2020, the department shall identify two or more
2 **approved independent school turnaround experts, through a request for proposals process,**
3 **that a school in need of intervention may select from to partner with, to:**

4 **(1) Collect and analyze data on the school's student achievement, personnel,**
5 **culture, curriculum, assessments, instructional practices, digital tools and other methods**
6 **for teaching and learning, governance, leadership, finances, and policies;**

7 **(2) Recommend changes to the school's culture, curriculum, assessments,**
8 **instructional practices, governance, finances, policies, or other areas based on data**
9 **collected under subdivision (1) of this subsection;**

10 **(3) Develop and implement, in partnership with the school turnaround committee,**
11 **a school turnaround plan that meets the criteria described in section 161.1095;**

12 **(4) Monitor the effectiveness of a school turnaround plan through reliable means**
13 **of evaluation including, but not limited to, on-site visits, observations, surveys, analysis of**
14 **student achievement data, and interviews;**

15 **(5) Provide ongoing implementation support and project management for a school**
16 **turnaround plan;**

17 **(6) Provide high-quality professional development and coaching personalized for**
18 **school staff that is designed to build:**

19 **(a) The leadership capacity of the school principal;**

20 **(b) The instructional capacity of school staff; and**

- 21 **(c) The collaborative practices of teacher and leadership teams;**
22 **(7) Provide job-embedded professional learning and coaching for all instructional**
23 **staff on a weekly basis, at a minimum;**
24 **(8) Provide job-embedded professional learning and coaching for the school**
25 **principal at least twice monthly, focused on proven strategies to turn around schools in**
26 **need of intervention that are aligned with administrator standards developed under section**
27 **168.410; and**
28 **(9) Leverage support from community partners to coordinate an efficient delivery**
29 **of supports to students both inside and outside the classroom.**
30 **2. In identifying independent school turnaround experts under subsection 1 of this**
31 **section, the department shall identify experts who:**
32 **(1) Have a credible track record of improving student academic achievement in**
33 **public schools with various demographic characteristics, as measured by statewide**
34 **assessments;**
35 **(2) Have experience designing, implementing, and evaluating data-driven**
36 **instructional systems in public schools;**
37 **(3) Have experience coaching public school administrators and teachers on**
38 **designing and implementing data-driven school improvement plans;**
39 **(4) Have experience collaborating with the various education entities that govern**
40 **public schools;**
41 **(5) Have experience delivering high-quality professional development and coaching**
42 **in instructional effectiveness to public school administrators and teachers;**
43 **(6) Are willing to be compensated for professional services based on performance**
44 **as described in section 161.1105; and**
45 **(7) Are willing to partner with any school in need of intervention in the state,**
46 **regardless of location.**
- 161.1105. 1. The department shall award contracts to independent school**
2 **turnaround experts. Governing boards shall not be required to pay independent school**
3 **turnaround experts.**
- 4 **2. When awarding a contract to an independent school turnaround expert selected**
5 **by the governing board under section 161.1095, the department shall ensure that a contract**
6 **between the governing board and the independent school turnaround expert specifies that**
7 **the department shall:**
8 **(1) Pay an independent school turnaround expert no more than fifty percent of the**
9 **expert's professional fees during the time period the school turnaround expert is providing**
10 **services to the school in need of intervention; and**

11 **(2) Pay the remainder of the independent school turnaround expert's professional**
12 **fees upon the independent school turnaround expert successfully helping a school in need**
13 **of intervention meet exit criteria as determined by the department under section 161.1090**
14 **within four school years after a school is designated as needing intervention.**

15 **3. In negotiating a contract with an independent school turnaround expert, the**
16 **department shall offer:**

17 **(1) An average of six hundred and fifty thousand dollars for the entirety of the**
18 **project;**

19 **(2) Differentiated amounts of funding based on student enrollment; and**

20 **(3) A higher amount of funding for schools that are in the lowest-performing one**
21 **percent of schools statewide according to the outcome-based measure determined by the**
22 **department under section 161.1090.**

23 **4. There is hereby created in the state treasury the "School Turnaround Fund".**
24 **The fund shall consist of all moneys that may be appropriated to it by the general assembly**
25 **and any gifts, contributions, grants, or bequests received from federal, private, or other**
26 **sources. The state treasurer shall be custodian of the fund. In accordance with sections**
27 **30.170 and 30.180, the state treasurer may approve disbursements of public moneys in**
28 **accordance with distribution requirements and procedures developed by the department**
29 **of elementary and secondary education. The fund shall be a dedicated fund and, upon**
30 **appropriation, moneys in the fund shall be used solely for payments to independent school**
31 **turnaround experts and for administrative expenses for the school turnaround program.**
32 **Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining**
33 **in the fund at the end of the biennium shall not revert to the credit of the general revenue**
34 **fund. The state treasurer shall invest moneys in the fund in the same manner as other**
35 **funds are invested. Any interest and moneys earned on such investments shall be credited**
36 **to the fund.**

161.1110. 1. The department shall review a school turnaround plan submitted for
2 **approval under section 161.1095 within thirty days of submission.**

3 **2. The department shall approve a school turnaround plan that:**

4 **(1) Is timely;**

5 **(2) Is well-developed; and**

6 **(3) Meets the criteria described in section 161.1095.**

7 **3. The department shall promulgate rules to establish an appeals process for a**
8 **governing board that does not receive approval of its school turnaround plan from the**
9 **department under section 161.1095.**

10 **4. The department shall ensure that the rules require the appeals process, described**
11 **in subsection 3 of this section, be resolved before May fifteenth of the initial remedial year.**

12 **5. There is hereby created in the state treasury the "School Intervention Fund".**
13 **The fund shall consist of all moneys that may be appropriated to it by the general assembly**
14 **and any gifts, contributions, grants, or bequests received from federal, private, or other**
15 **sources for the purpose of distributing grants to local educational agencies as described in**
16 **this section. The state treasurer shall be custodian of the fund. In accordance with sections**
17 **30.170 and 30.180, the state treasurer may approve disbursements of public moneys in**
18 **accordance with distribution requirements and procedures developed by the department**
19 **of elementary and secondary education. The fund shall be a dedicated fund and, upon**
20 **appropriation, moneys in the fund shall be used solely for the administration of grants to**
21 **local educational agencies as described in this section. Notwithstanding the provisions of**
22 **section 33.080 to the contrary, any moneys remaining in the fund at the end of the**
23 **biennium shall not revert to the credit of the general revenue fund. The state treasurer**
24 **shall invest moneys in the fund in the same manner as other funds are invested. Any**
25 **interest and moneys earned on such investments shall be credited to the fund.**

26 **6. The department shall award grants from the school intervention fund to local**
27 **educational agencies for the purpose of funding interventions identified in approved school**
28 **turnaround plans. A local educational agency shall be eligible for a grant only if it provides**
29 **matching funds or an in-kind contribution of goods or services in an amount equal to the**
30 **grant award it would receive from the department.**

161.1115. 1. A school in need of intervention that does not meet the exit criteria
2 **determined by the department under section 161.1090 within three school years after the**
3 **day on which the school is designated a school in need of intervention may petition the**
4 **department for an extension to continue school improvement efforts for up to two years.**

5 **2. The department shall grant an extension under subsection 1 of this section only**
6 **if the school in need of intervention:**

7 **(1) Has demonstrated at least fifty percent of the improvement necessary to exit the**
8 **turnaround process; or**

9 **(2) Submits an appeal to the department.**

10 **3. The department may extend the contract of an independent school turnaround**
11 **expert for a school in need of intervention that is granted an extension under this section.**

12 **4. A school that has been granted an extension under this section is eligible for**
13 **continued funding under subsection 3 of this section.**

14 **5. The department shall promulgate rules establishing additional interventions for:**

15 **(1) A school in need of intervention that:**

16 (a) Does not meet the predetermined exit criteria within three school years after the
17 day on which the school is designated in need of intervention; and

18 (b) Is not granted an extension under this section; and

19 (2) A school in need of intervention that:

20 (a) Is granted an extension under this section; and

21 (b) Does not meet the predetermined exit criteria within three school years after the
22 day on which the school in need of intervention is granted an extension.

161.1120. 1. For purposes of this section, the term "eligible school" means a school
2 in need of intervention that:

3 (1) Meets predetermined exit criteria within three school years after the day on
4 which the school is designated a school in need of intervention; or

5 (2) If granted an extension under section 161.1115, meets predetermined exit
6 criteria within the extension period.

7 2. Subject to appropriation, the department shall establish a statewide program to
8 be known as the "School Recognition and Reward Program" to provide incentives to
9 schools and teachers to improve schools in need of intervention.

10 3. There is hereby created in the state treasury the "School Recognition and
11 Reward Fund". The fund shall consist of all moneys that may be appropriated to it by the
12 general assembly and any gifts, contributions, grants, or bequests received from federal,
13 private, or other sources for the purpose of distributing grants to local educational agencies
14 as described in this section. The state treasurer shall be custodian of the fund. In
15 accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements
16 of public moneys in accordance with distribution requirements and procedures developed
17 by the department of elementary and secondary education. The fund shall be a dedicated
18 fund and, upon appropriation, moneys in the fund shall be used solely for the
19 administration of grants to local educational agencies as described in this section.
20 Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining
21 in the fund at the end of the biennium shall not revert to the credit of the general revenue
22 fund. The state treasurer shall invest moneys in the fund in the same manner as other
23 funds are invested. Any interest and moneys earned on such investments shall be credited
24 to the fund.

25 4. The department shall award grants from the school recognition and reward fund
26 to local educational agencies with eligible schools. The department shall require, as a
27 condition of awarding a grant, that the local educational agency use the grant moneys to
28 reward eligible schools, teachers employed by eligible schools, or both the eligible schools
29 and the teachers.

161.1125. Before November 30, 2021, and before November thirtieth of each year thereafter, the department shall report to the joint committee on education on the implementation of sections 161.1080 to 161.1130.

161.1130. The department shall promulgate rules to implement the provisions of sections 161.1080 to 161.1130. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 161.1080 to 161.1130 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. Sections 161.1080 to 161.1130 and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2019, shall be invalid and void.

162.703. 1. Subject to appropriations and notwithstanding any rules and regulations to the contrary relating to lease agreements for early childhood special education program facilities including, but not limited to, 5 CSR 30-640.200, the department shall not apply any funding formula to determine the maximum allowable cost per fiscal year for early learning program facility lease agreements for any lease agreement entered into by a school district before March 2, 2015.

2. The provisions of this section shall expire on August 28, 2024.

162.720. 1. ~~[Where a sufficient number of children]~~ If three percent or more of students enrolled in a school district are determined to be gifted and their development requires programs or services beyond the level of those ordinarily provided in regular public school programs, ~~[districts may establish special programs for such gifted children]~~ the district shall establish a state-approved gifted program for gifted children.

2. If a school district has an average daily attendance of three hundred fifty students or less, the district's gifted program shall not be required to provide gifted services by a teacher certificated to teach gifted education. If any teacher who provides gifted services through such district's gifted program is not certificated to teach gifted education, the teacher shall annually participate in at least six clock hours of professional development focused on gifted services.

3. The state board of education shall determine standards for such gifted programs and gifted services. Approval of ~~[such]~~ gifted programs shall be made by the state department of elementary and secondary education based upon project applications submitted ~~[by July fifteenth of each year]~~ at a time and in a form determined by the department of elementary and secondary education.

17 ~~[3-]~~ 4. No district shall make a determination as to whether a child is gifted based on the
18 child's participation in an advanced placement course or international baccalaureate course.
19 Districts shall determine a child is gifted only if the child meets the definition of gifted children
20 as provided in section 162.675.

21 ~~[4-]~~ 5. Any district with a gifted education program approved under subsection ~~[2]~~ 3 of
22 this section shall have a policy, approved by the board of education of the district, that
23 establishes a process that outlines the procedures and conditions under which parents or
24 guardians may request a review of the decision that determined that their child did not qualify
25 to receive services through the district's gifted education program.

26 ~~[5-]~~ 6. School districts and school district employees shall be immune from liability for
27 any and all acts or omissions relating to the decision that a child did not qualify to receive
28 services through the district's gifted education program.

29 **7. The department of elementary and secondary education may promulgate rules**
30 **to implement the provisions of this section. Any rule or portion of a rule, as that term is**
31 **defined in section 536.010, that is created under the authority delegated in this section shall**
32 **become effective only if it complies with and is subject to all of the provisions of chapter**
33 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and**
34 **if any of the powers vested with the general assembly pursuant to chapter 536 to review,**
35 **to delay the effective date, or to disapprove and annul a rule are subsequently held**
36 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
37 **after August 28, 2019, shall be invalid and void.**

163.018. 1. (1) Notwithstanding the definition of "average daily attendance" in
2 subdivision (2) of section 163.011 to the contrary, pupils between the ages of three and five who
3 are eligible for free and reduced price lunch and attend an early childhood education program:

4 **(a) That is operated by and in a district or by a charter school that has declared itself as**
5 **a local educational agency providing full-day kindergarten and that meets standards established**
6 **by the state board of education; or**

7 **(b) That is under contract with a district or charter school that has declared itself**
8 **as a local educational agency and that meets standards established by the state board of**
9 **education**

10

11 shall be included in the district's or charter school's calculation of average daily attendance. The
12 total number of such pupils included in the district's or charter school's calculation of average
13 daily attendance shall not exceed four percent of the total number of pupils who are eligible for
14 free and reduced price lunch between the ages of five and eighteen who are included in the
15 district's or charter school's calculation of average daily attendance.

16 (2) If a pupil described under subdivision (1) of this subsection leaves an early childhood
 17 education program during the school year, a district or charter school shall be allowed to fill the
 18 vacant enrollment spot with another pupil between the ages of three and five who is eligible for
 19 free and reduced price lunch without affecting the district's or charter school's calculation of
 20 average daily attendance.

21 **2. In establishing standards for any early childhood education program that is**
 22 **under contract with a district or charter school that has declared itself as a local**
 23 **educational agency, the state board of education shall consider:**

24 (1) **Whether a program offers full-day and full-year programming;**

25 (2) **Whether a program has teacher-to-child ratios consistent with reasonable**
 26 **standards set by early childhood education program accrediting agencies;**

27 (3) **Whether a program offers professional development supports for educators and**
 28 **the type of supports offered;**

29 (4) **Whether a program uses appropriately credentialed educators;**

30 (5) **Whether a program uses an early childhood education curriculum that has been**
 31 **approved by the department of elementary and secondary education and whether the**
 32 **curriculum is developmentally appropriate; and**

33 (6) **Any other factor that the state board of education determines to be significant**
 34 **in ensuring that children achieve high levels of kindergarten readiness.**

35

36 **The state board of education shall require that staff members of any early childhood**
 37 **education program that is under contract with a district or charter school that has declared**
 38 **itself as a local educational agency undergo background checks as described in section**
 39 **168.133.**

40 **3.** This section shall not require school attendance beyond that mandated under section
 41 167.031 and shall not change or amend the provisions of sections 160.051, 160.053, 160.054,
 42 and 160.055 relating to kindergarten attendance.

167.268. 1. Each local school district **and charter school** shall have on file a policy for
 2 reading [~~intervention~~] **success** plans for any pupils of the district **and charter school** in grades
 3 kindergarten through [~~three~~] **four** pursuant to the provisions of this section. Such plans shall
 4 identify strategies to be followed by the district **and charter school** teachers to raise a pupil
 5 identified as reading below grade level by recognized methods to reading at grade level by the
 6 end of the [~~third~~] **fourth** grade. Recognized methods of identification may include but need not
 7 be limited to the scores of the pupil obtained through any established standardized testing
 8 program currently administered by the district **and charter school**, observations of classroom
 9 teachers, and documented classroom performance. **The local policy shall be aligned with the**

10 **guidelines developed by the department of elementary and secondary education for reading**
 11 **success plans.**

12 2. The ~~[state board of education]~~ **department** shall develop guidelines to assist districts
 13 in formulating policies for reading ~~[intervention]~~ **success plans**. Such guidelines may include,
 14 but are not limited to, timelines for measuring pupil improvement in reading[;] **and** information
 15 on screening for and treatment of ~~[auditory]~~ dyslexia[;] and ~~[information on the Lindamood~~
 16 ~~Auditory Conceptualization Test and the Auditory Discrimination in Depth Program]~~ **other**
 17 **reading deficiencies. In addition, any guidelines for instruction shall meet the needs of the**
 18 **students by ensuring that instruction is explicit and systematic and based on the five areas**
 19 **of reading: phonological awareness, phonics, fluency, vocabulary, and comprehension.**
 20 **Pre- and post-assessments shall be conducted to measure student progress.** Such guidelines
 21 may also identify performance levels for pupils identified as handicapped or severely
 22 handicapped and conditions under which such pupils ~~[are]~~ **may be** exempt from the provisions
 23 of this section.

24 3. Each local school district **and charter school** enrolling a pupil identified as reading
 25 below grade level shall develop an individual plan of reading intervention for such pupil. The
 26 individual pupil's plan ~~[may]~~ **shall** include individual ~~[or]~~ **and small** group reading development
 27 activities. The plan ~~[may]~~ **shall** be developed after consultation with the pupil's parent or legal
 28 guardian.

167.645. 1. For purposes of this section, the following terms mean:

- 2 (1) **"Dyslexia", as defined in section 633.420;**
 3 (2) **"Evidence-based reading instruction", any research-validated program that has**
 4 **successful evidence to demonstrate adequate gains in reading achievement, where such**
 5 **evidence is:**
 6 (a) **Objective data that any evaluators would identify and interpret similarly;**
 7 (b) **Valid and reliable data that the tasks children need to accomplish to be**
 8 **successful readers will remain essentially unchanged if collected on a different day or by**
 9 **a different person;**
 10 (c) **Systematic data that is collected according to a rigorous design of either**
 11 **observation or experimentation; and**
 12 (d) **Referred data that has been approved for publication by a panel of independent**
 13 **reviewers;**
 14 (3) **"Reading assessment", a recognized method of judging a student's reading ability,**
 15 **with results expressed as reading at a particular grade level. The term reading assessment shall**
 16 **include, but is not limited to, standard checklists designed for use as a student reads out loud,**
 17 **paper-and-pencil tests promulgated by nationally recognized organizations and other recognized**

18 methods of determining a student's reading accuracy, expression, fluency and comprehension in
 19 order to make a determination of the student's grade-level reading ability. Assessments which
 20 do not give a grade-level result may be used in combination with other assessments to reach a
 21 grade-level determination. ~~[Districts are encouraged but not required to select assessment~~
 22 ~~methods identified pursuant to section 167.346.]~~ Districts **and charter schools** are [also]
 23 encouraged to use multiple methods of assessment;

24 **(4) "Structured literacy", evidence-based reading instruction that addresses**
 25 **phonology, sound-symbol association, syllable instruction, morphology, syntax, and**
 26 **semantics. Structured literacy is taught through systematic, cumulative, explicit, and**
 27 **diagnostic methods;**

28 ~~[(2)]~~ **(5)** "Summer school", for reading instruction purposes, a minimum of forty hours
 29 of reading instruction and practice. A school district **or charter school** may arrange the hours
 30 and days of instruction to coordinate with its regular program of summer school.

31 2. For purposes of this section, methods of reading assessment shall be determined by
 32 each school district **and charter school**. Unless a student has been determined in the ~~[current]~~
 33 **previous** school year to be reading at grade level or above, each school district **and charter**
 34 **school** shall administer a reading assessment or set of assessments to each student within
 35 ~~[forty-five days of the end of the third-grade year]~~ **the first thirty days of school for grades one**
 36 **through four, and by January thirty-first for kindergarten**, except that the provisions of this
 37 subsection shall not apply to students receiving special education services under an
 38 individualized education plan pursuant to sections 162.670 to 162.999, to students receiving
 39 services pursuant to Section 504 of the Rehabilitation Act of 1973 whose services plan includes
 40 an element addressing reading or to students determined to have limited English proficiency or
 41 to students who have been determined, prior to the beginning of any school year, to have a
 42 cognitive ability insufficient to meet the reading requirement set out in this section, provided that
 43 districts **and charter schools** shall provide reading ~~[improvement]~~ **success** plans for students
 44 **with an individualized education plan who have a reading deficiency, for students receiving**
 45 **services under Section 504 of the Rehabilitation Act of 1973 whose services plan includes**
 46 **an element addressing reading, and for students** determined to have such insufficient
 47 cognitive ability. The assessment required by this subsection shall also be required for students
 48 who enter a school district **or charter school** in grades four, five or six unless such student has
 49 been determined in the current school year to be reading at grade level or above.

50 3. ~~[Beginning with school year 2002-03, for each student whose third-grade reading~~
 51 ~~assessment determines that such student is reading below second-grade level, the school district~~
 52 ~~shall design a reading improvement plan for the student's fourth-grade year. Such reading~~
 53 ~~improvement plan shall include, at a minimum, thirty hours of additional reading instruction or~~

54 ~~practice outside the regular school day during the fourth grade year]~~ School districts and
55 charter schools shall offer a reading success plan to each student in grades kindergarten
56 through four who exhibits a reading deficiency, who has been identified as being at risk
57 for dyslexia in the statewide dyslexia screening requirement, or who has a formal diagnosis
58 of dyslexia, to ensure students can read at or above grade level by the end of the fourth
59 grade. The reading success plan shall be provided in addition to core reading instruction
60 that is provided to all students in the general education classroom. The reading success
61 plan shall:

62 (1) Include, at a minimum, thirty hours of additional reading instruction or
63 practice outside the regular school day during the fourth grade year;

64 (2) Be provided to all students in grades kindergarten through four identified with
65 a reading deficiency as determined by local or statewide screening assessments
66 administered within the first thirty days of school for grades one through four and by
67 January thirty-first for kindergarten;

68 (3) Provide explicit and systematic instruction in phonological awareness, phonics,
69 fluency, vocabulary, and comprehension, as applicable to each student;

70 (4) Monitor the reading progress of each student's reading skills throughout the
71 school year and adjust instruction according to the student's needs; and

72 (5) Be implemented during regular school hours.

73

74 A structured literacy reading program shall be provided to any student with a formal
75 diagnosis of dyslexia or for a student who is found to be at risk for dyslexia in the statewide
76 dyslexia screening.

77 4. Any student in kindergarten or any grade not higher than the fourth grade who
78 exhibits a deficiency in reading at any time, based upon local or statewide screening
79 assessments, shall receive an individual reading success plan no later than thirty days after
80 the identification of the reading deficiency. The reading success plan shall be created by
81 the teacher and other pertinent school personnel, along with the parent or legal guardian,
82 and shall describe the evidence-based reading intervention services the student shall
83 receive to remedy the deficit. The reading success plan shall specify if a student was found
84 to be at risk for dyslexia in the statewide dyslexia screening requirement or if the student
85 has a formal diagnosis of dyslexia. Each student shall receive intensive reading
86 intervention until the student no longer has a deficiency in reading.

87 5. Beginning with the 2020-21 school year, a student who is not reading at grade
88 level by the end of the second grade shall receive intensive reading intervention to remedy
89 the student's specific reading deficiency. The reading intervention services shall include

90 **effective instructional strategies to accelerate student progress. Each school district and**
91 **charter school shall conduct a review of student reading success plans for all students who**
92 **are not reading at grade level by the end of the second grade. The review shall address**
93 **additional supports and services, as described in this subsection, needed to remedy the**
94 **identified area or areas of reading deficiency. The school district and charter school shall**
95 **provide the following:**

96 **(1) Training to all teachers and instructors of grades kindergarten through four**
97 **about the screening assessments;**

98 **(2) A highly qualified teacher of reading as demonstrated by teacher certification,**
99 **professional development, and specialized literacy training;**

100 **(3) Reading intervention services and supports to correct the identified areas of**
101 **reading deficiency including, but not limited to:**

102 **(a) Use of reading strategies or programs that are scientifically evidence-based and**
103 **have proven results in accelerating student reading achievement within the same school**
104 **year for students with a reading success plan;**

105 **(b) Frequent targeted small group reading intervention based on the student's**
106 **needs;**

107 **(c) Explicit and systematic instruction with more detailed explanations, more**
108 **extensive opportunities for guided practice, and more opportunities for error correction**
109 **and feedback;**

110 **(d) Frequent monitoring of the progress of each student's reading skills throughout**
111 **the school year and adjustment of instruction according to the student's needs; and**

112 **(e) A structured literacy reading success plan, as described in subsection 3 of this**
113 **section, shall be used for any student with a formal diagnosis of dyslexia or who has been**
114 **identified as a student at risk for dyslexia in the statewide dyslexia screening required**
115 **assessment for any student with a reading success plan; and**

116 **(4) A "read at home" plan offered to parents and legal guardians along with**
117 **suggestions for parent and legal guardian participation in training workshops or regular**
118 **parent-guided home reading activities.**

119 **6. Each school district and charter school shall provide intensive acceleration for**
120 **any student not reading at a proficient level or above on a local or statewide third grade**
121 **reading assessment and who has a reading success plan. The intensive acceleration shall**
122 **include criteria established in subsection 5 of this section and shall provide explicit and**
123 **systematic evidence-based reading and instruction. The school district and charter school**
124 **shall determine the method of reading instruction necessary to enforce this subsection. The**
125 **school district and charter school may also require the student to attend summer school for**

126 reading instruction as a condition of promotion to fourth grade. The department of elementary
127 and secondary education may, from funds appropriated for the purpose, reimburse school
128 districts **and charter schools** for additional instructional personnel costs incurred in the
129 implementation and execution of the thirty hours of additional reading instruction minus the
130 revenue generated by the school district **or charter school** through the foundation formula for
131 the additional reading instruction average daily attendance.

132 ~~[4-]~~ **7.** Each student for whom a reading ~~[improvement plan]~~ **success plan** has been
133 designed pursuant to subsection 3 of this section shall be given another reading assessment, to
134 be administered within forty-five days of the end of such student's fourth-grade year. If such
135 student is determined to be reading below third-grade level, the student shall be required to
136 attend summer school **as defined in this section** to receive reading instruction. ~~[At the end of~~
137 ~~such summer school instruction, such student shall be given another reading assessment. If such~~
138 ~~student is determined to be reading below third-grade level, the district shall notify the student's~~
139 ~~parents or guardians, and the student shall not be promoted to fifth grade. No student shall be~~
140 ~~denied promotion more than once solely for inability to meet the reading standards set out in this~~
141 ~~section.]~~

142 ~~[5-]~~ **8.** The process described in subsections ~~[3 and 4]~~ **6 and 7** of this section shall be
143 repeated as necessary through the end of the sixth grade, with the target grade level rising
144 accordingly. ~~[Mandatory retention in grade shall not apply to grades subsequent to fourth grade.]~~

145 ~~[6-]~~ **9.** The mandatory process of additional reading ~~[instruction]~~ **intervention for**
146 **reading support outside the regular school day and school year** pursuant to this section shall
147 cease at the end of the sixth grade. **If the student is still not reading at grade level upon**
148 **completion of the sixth grade, then the school district and charter school shall continue to**
149 **provide a reading success plan to be implemented during the regular school day until such**
150 **time as the student is reading at grade level or upon graduation from high school.** The
151 permanent record of students who are determined to be reading below the fifth-grade level at the
152 end of sixth grade shall carry a notation advising that such student has not met minimal reading
153 standards. The notation shall stay on the student's record until such time as the district
154 determines that a student has met minimal reading standards.

155 ~~[7-]~~ **10.** Each school district **and charter school** shall be required to offer summer
156 school reading instruction to any student with a reading ~~[improvement]~~ **success plan.** Districts
157 may fulfill the requirement of this section through cooperative arrangements with neighboring
158 districts **or virtual schools as approved under section 161.670**; provided that such districts
159 shall timely make all payments provided pursuant to such cooperative agreements.

160 [8-] **11.** A school district **and charter school** may adopt a policy that requires retention
161 in grade of any student who has been determined to require summer school instruction in reading
162 and who does not fulfill the summer school attendance requirement.

163 [9-] **12.** Nothing in this section shall preclude a school district **or charter school** from
164 retaining any student in grade when a determination is made in accordance with district **or**
165 **charter school** policy that retention is in the best interests of the student.

166 [+0-] **13.** The state board of education shall not incorporate information about the
167 number of students receiving additional instruction pursuant to this section into any element of
168 any standard of the Missouri school improvement program or its successor accreditation
169 program; provided, however, each district **and charter school** shall make available, upon the
170 request of any parent, patron, **advocacy group**, or media outlet [~~within the district~~], the number
171 and percentage of students receiving remediation pursuant to this section. The information shall
172 be presented in a way that does not permit personal identification of any student or educational
173 personnel.

174 [+1-] **14.** Each school district **and charter school** shall make a systematic effort to
175 inform parents of the methods and materials used to teach reading in kindergarten through fourth
176 grade, in terms understandable to a layperson [~~and shall similarly inform parents of students for~~
177 ~~whom a reading improvement plan is required pursuant to this section~~]. **The parents or legal**
178 **guardians of any student in grades kindergarten through four who exhibits a deficiency**
179 **in reading at any time during the school year shall be notified, in writing, that their child**
180 **has a reading deficiency no later than thirty days after the identification of the reading**
181 **deficiency. Such written notification shall include the following:**

182 (1) **A statement that the student has been identified as having a deficiency in**
183 **reading and that a reading success plan shall be developed by the teacher and other**
184 **pertinent school personnel;**

185 (2) **A description of the current services that are provided to the student;**

186 (3) **A description of the proposed evidence-based reading interventions and**
187 **supplemental instructional services and supports that shall be provided to the student**
188 **which are designed to remedy the identified area or areas of reading deficiency;**

189 (4) **A statement that the parent or legal guardian shall be informed in writing of the**
190 **student's progress toward grade-level reading on a quarterly basis, at a minimum; and**

191 (5) **Strategies that a parent or legal guardian should use at home to help the student**
192 **succeed in reading.**

193 **15.** The board of each school district and charter school shall annually post, by
194 **September first, the following information from the prior school year on its website, in the**
195 **student and parent handbooks, and near the entrance of each appropriate building:**

196 **(1) By building, the number and percentage of all students in grades three through**
197 **eight scoring at each proficiency level on the English language arts statewide assessment;**

198 **(2) By building, the number and percentage of all students in grades three through**
199 **eight in each demographic category scoring proficiency level on the English language arts**
200 **statewide assessment;**

201 **(3) By district, the number and percentage of all students in grades three through**
202 **eight scoring at each proficiency level on the English language arts statewide assessment;**

203 **(4) By district, the number and percentage of all students in grades three through**
204 **eight in each demographic category scoring at each proficiency level on the English**
205 **language arts statewide assessment.**

206 **16. The department of elementary and secondary education shall annually report**
207 **the information required in subsection 15 of this section in a state-level summary to the**
208 **state board of education, the public, the governor, and the joint committee on education**
209 **by October first. Each school district and charter school shall post the data in subsection**
210 **15 on its website, in student and parent handbooks at the appropriate grade level, and in**
211 **a visible location near the entrance of each elementary, middle school, and junior high**
212 **school building.**

213 **17. Any rule or portion of a rule, as that term is defined in section 536.010, that is**
214 **created under the authority delegated in this section shall become effective only if it**
215 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**
216 **section 536.028. This section and chapter 536 are nonseverable, and if any of the powers**
217 **vested with the general assembly pursuant to chapter 536 to review, to delay the effective**
218 **date, or to disapprove and annul a rule are subsequently held unconstitutional, then the**
219 **grant of rulemaking authority and any rule proposed or adopted after August 28, 2019,**
220 **shall be invalid and void.**

221 **18. The state board of education may recommend that institutions of higher**
222 **education and the department align literacy and reading instruction course work with**
223 **knowledge and practice standards from the Center for Effective Reading Instruction.**

168.133. 1. The school district shall ensure that a criminal background check is
2 conducted on any person employed after January 1, 2005, authorized to have contact with pupils
3 and prior to the individual having contact with any pupil. Such persons include, but are not
4 limited to, administrators, teachers, aides, paraprofessionals, assistants, secretaries, custodians,
5 cooks, and nurses. The school district shall also ensure that a criminal background check is
6 conducted for school bus drivers. The district may allow such drivers to operate buses pending
7 the result of the criminal background check. For bus drivers, the school district shall be
8 responsible for conducting the criminal background check on drivers employed by the school

9 district. For drivers employed by a pupil transportation company, **a municipality, or any other**
10 **entity** under contract with the school district, the criminal background check shall be conducted
11 pursuant to section 43.540 and conform to the requirements established in the National Child
12 Protection Act of 1993, as amended by the Volunteers for Children Act. Personnel who have
13 successfully undergone a criminal background check and a check of the family care safety
14 registry as part of the professional license application process under section 168.021 and who
15 have received clearance on the checks within one prior year of employment shall be considered
16 to have completed the background check requirement. A criminal background check under this
17 section shall include a search of any information publicly available in an electronic format
18 through a public index or single case display.

19 2. In order to facilitate the criminal history background check, the applicant shall submit
20 a set of fingerprints collected pursuant to standards determined by the Missouri highway patrol.
21 The fingerprints shall be used by the highway patrol to search the criminal history repository and
22 shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal
23 history files.

24 3. The applicant shall pay the fee for the state criminal history record information
25 pursuant to section 43.530 and sections 210.900 to 210.936 and pay the appropriate fee
26 determined by the Federal Bureau of Investigation for the federal criminal history record when
27 he or she applies for a position authorized to have contact with pupils pursuant to this section.
28 The department shall distribute the fees collected for the state and federal criminal histories to
29 the Missouri highway patrol.

30 4. The department of elementary and secondary education shall facilitate an annual check
31 of employed persons holding current active certificates under section 168.021 against criminal
32 history records in the central repository under section 43.530, the sexual offender registry under
33 sections 589.400 to ~~589.475~~ **589.426**, and child abuse central registry under sections 210.109
34 to 210.183. The department of elementary and secondary education shall facilitate procedures
35 for school districts to submit personnel information annually for persons employed by the school
36 districts who do not hold a current valid certificate who are required by subsection 1 of this
37 section to undergo a criminal background check, sexual offender registry check, and child abuse
38 central registry check. The Missouri state highway patrol shall provide ongoing electronic
39 updates to criminal history background checks of those persons previously submitted, both those
40 who have an active certificate and those who do not have an active certificate, by the department
41 of elementary and secondary education. This shall fulfill the annual check against the criminal
42 history records in the central repository under section 43.530.

43 5. The school district may adopt a policy to provide for reimbursement of expenses
44 incurred by an employee for state and federal criminal history information pursuant to section
45 43.530.

46 6. If, as a result of the criminal history background check mandated by this section, it is
47 determined that the holder of a certificate issued pursuant to section 168.021 has pled guilty or
48 nolo contendere to, or been found guilty of a crime or offense listed in section 168.071, or a
49 similar crime or offense committed in another state, the United States, or any other country,
50 regardless of imposition of sentence, such information shall be reported to the department of
51 elementary and secondary education.

52 7. Any school official making a report to the department of elementary and secondary
53 education in conformity with this section shall not be subject to civil liability for such action.

54 8. For any teacher who is employed by a school district on a substitute or part-time basis
55 within one year of such teacher's retirement from a Missouri school, the state of Missouri shall
56 not require such teacher to be subject to any additional background checks prior to having
57 contact with pupils. Nothing in this subsection shall be construed as prohibiting or otherwise
58 restricting a school district from requiring additional background checks for such teachers
59 employed by the school district.

60 9. A criminal background check and fingerprint collection conducted under subsections
61 1 and 2 of this section shall be valid for at least a period of one year and transferrable from one
62 school district to another district. A school district may, in its discretion, conduct a new criminal
63 background check and fingerprint collection under subsections 1 and 2 for a newly hired
64 employee at the district's expense. A teacher's change in type of certification shall have no effect
65 on the transferability or validity of such records.

66 10. Nothing in this section shall be construed to alter the standards for suspension,
67 denial, or revocation of a certificate issued pursuant to this chapter.

68 11. The state board of education may promulgate rules for criminal history background
69 checks made pursuant to this section. Any rule or portion of a rule, as that term is defined in
70 section 536.010, that is created under the authority delegated in this section shall become
71 effective only if it complies with and is subject to all of the provisions of chapter 536 and, if
72 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the
73 powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective
74 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
75 rulemaking authority and any rule proposed or adopted after January 1, 2005, shall be invalid and
76 void.

**170.020. 1. (1) The department of elementary and secondary education, through
2 its school counseling section, shall be authorized to establish a voluntary pilot program,**

3 beginning in the 2020-21 school year, to provide social and emotional health education in
4 elementary schools in the state. The purpose of the pilot program shall be to determine
5 whether and how to implement an elementary social and emotional health education
6 program statewide.

7 (2) The department, through its employees who work in the school counseling
8 section, is authorized to select from among applications submitted by the public elementary
9 schools a minimum of sixteen public elementary schools for participation in the pilot
10 program. The department shall develop an application process for public elementary
11 schools to apply to participate in the pilot program. The local school board for each
12 elementary school selected to be in the pilot program shall agree to implement and fully
13 fund an elementary social and emotional health program in such school and to continue
14 to provide such elementary social and emotional health education program for a period no
15 less than three years. The local school district may employ a social and emotional health
16 teacher or certified school counselor to provide such program for the elementary school.

17 (3) The department, through its employees who work in the school counseling
18 section, and local school districts shall collaborate to establish the instructional model for
19 each elementary social and emotional health education program or use the Missouri
20 Comprehensive School Counseling Program. Any such an instructional model shall use
21 the Missouri Comprehensive School Counseling Program; be grade-appropriate; include
22 instruction in an organized classroom, including instruction on how to set and achieve
23 positive goals and how to utilize coping strategies to handle stress; and shall have an
24 increased emphasis on protective factors, such as problem-solving skills, social support,
25 and social connectedness through positive relationships and teamwork.

26 (4) The department, through its school counseling section, shall provide for a
27 program evaluation regarding the success and impact of the pilot program upon
28 completion of the third year of the pilot program and shall report the results of such
29 evaluation to the relevant house and senate committees on health and mental health and
30 education.

31 2. The department shall maintain an adequate number of full-time employees
32 trained in social and emotional health education or certified in school counseling and
33 accessible throughout the state to provide accountability for program delivery of social and
34 emotional health education, to continue to develop and maintain pertinent social and
35 emotional health education instructional models and standards, to assist local school
36 districts on matters related to social and emotional health education, and to coordinate
37 regional and statewide activities supporting K-12 social and emotional health education
38 programming.

39 **3. Nothing in this section shall be construed to require public elementary schools**
40 **to participate in the pilot program.**

171.031. 1. Each school board shall prepare annually a calendar for the school term,
2 specifying the opening date, days of planned attendance, and providing a minimum term of at
3 least one hundred seventy-four days for schools with a five-day school week or one hundred
4 forty-two days for schools with a four-day school week, and one thousand forty-four hours of
5 actual pupil attendance. In school year 2019-20 and subsequent years, one thousand forty-four
6 hours of actual pupil attendance shall be required for the school term with no minimum number
7 of school days. In addition, such calendar shall include six make-up days for possible loss of
8 attendance due to inclement weather as defined in subsection 1 of section 171.033. In school
9 year 2019-20 and subsequent years, such calendar shall include thirty-six make-up hours for
10 possible loss of attendance due to inclement weather, as defined in subsection 1 of section
11 171.033, with no minimum number of make-up days.

12 2. Each local school district may set its opening date each year, which date shall be no
13 earlier than ~~ten~~ **fourteen** calendar days prior to the first Monday in September. No public
14 school district shall select an earlier start date unless, **for calendars for school years before**
15 **school year 2020-21**, the district follows the procedure set forth in subsection 3 of this section.
16 **The procedure set forth in subsection 3 of this section shall be unavailable to school**
17 **districts in preparing their calendars for school year 2020-21 and for subsequent years.**

18 3. **For calendars for school years before school year 2020-21**, a district may set an
19 opening date that is more than ~~ten~~ **fourteen** calendar days prior to the first Monday in
20 September only if the local school board first gives public notice of a public meeting to discuss
21 the proposal of opening school on a date more than ~~ten~~ **fourteen** days prior to the first Monday
22 in September, and the local school board holds said meeting and, at the same public meeting, a
23 majority of the board votes to allow an earlier opening date. If all of the previous conditions are
24 met, the district may set its opening date more than ~~ten~~ **fourteen** calendar days prior to the first
25 Monday in September. The condition provided in this subsection must be satisfied by the local
26 school board each year that the board proposes an opening date more than ~~ten~~ **fourteen** days
27 before the first Monday in September.

28 4. If any local district violates the provisions of this section, the department of
29 elementary and secondary education shall withhold an amount equal to one quarter of the state
30 funding the district generated under section 163.031 for each date the district was in violation
31 of this section.

32 5. The provisions of subsections 2 to 4 of this section shall not apply to school districts
33 in which school is in session for twelve months of each calendar year.

34 6. The state board of education may grant an exemption from this section to a school
35 district that demonstrates highly unusual and extenuating circumstances justifying exemption
36 from the provisions of subsections 2 to 4 of this section. Any exemption granted by the state
37 board of education shall be valid for one academic year only.

178.530. 1. The state board of education shall establish standards and annually inspect,
2 as a basis for approval, all public prevocational, vocational schools, State Technical College of
3 Missouri, departments and classes receiving state or federal moneys for giving training in
4 agriculture, industrial, home economics and commercial subjects and all schools, departments
5 and classes receiving state or federal moneys for the preparation of teachers and supervisors of
6 such subjects. The public prevocational and vocational schools, State Technical College of
7 Missouri, departments, and classes, and the training schools, departments and classes are entitled
8 to the state or federal moneys so long as they are approved by the state board of education, as to
9 site, plant, equipment, qualifications of teachers, admission of pupils, courses of study and
10 methods of instruction. All disbursements of state or federal moneys for the benefit of the
11 approved prevocational and vocational schools, State Technical College of Missouri,
12 departments and classes shall be made semiannually. The school board of each approved school
13 or the governing body of State Technical College of Missouri shall file a report with the state
14 board of education at the times and in the form that the state board requires. Upon receipt of a
15 satisfactory report, the state board of education shall certify to the commissioner of
16 administration for his approval the amount of the state and federal moneys due the school district
17 or State Technical College of Missouri. The amount due the school district shall be certified by
18 the commissioner of administration and proper warrant therefor shall be issued to the district
19 treasurer or State Technical College of Missouri.

20 2. Notwithstanding the provisions of subsection 1 of this section, the state board of
21 education shall establish standards for agricultural education that may be adopted by a private
22 school accredited by an agency recognized by the United States Department of Education as an
23 accreditor of private schools that wishes to provide quality vocational programming outside the
24 requirements of, but consistent with, the federal Vocational Education Act. Such standards shall
25 be sufficient to qualify a private school to apply to the state chapter for approval of a local
26 chapter of a federally chartered national agricultural education association on a form developed
27 for that purpose by the department of elementary and secondary education without eligibility to
28 receive state or federal funding for agricultural vocational education. The provisions of this
29 subsection shall not be construed to create eligibility for a private school to receive state or
30 federal funding for agricultural vocational education, but shall not prohibit a private school from
31 receiving state or federal funds for which such private school would otherwise be eligible for

32 agricultural vocational education. Any such private school shall reimburse the department
33 annually for the cost of oversight and maintenance of the program.

34 **3. (1) The department of elementary and secondary education, through its**
35 **agricultural education section, shall be authorized to establish a pilot program, beginning**
36 **in the 2020-21 school year, to provide for agricultural education in elementary schools in**
37 **the state. The purpose of the pilot program shall be to determine whether and how to**
38 **implement an elementary agricultural education program statewide.**

39 **(2) The department, through its employees who work in the agricultural education**
40 **section, is authorized to select from among applications submitted by the public elementary**
41 **schools a minimum of sixteen public elementary schools for participation in the pilot**
42 **program. The department shall develop an application process for public elementary**
43 **schools to apply to participate in the pilot program. The local school board for each**
44 **elementary school selected to be in the pilot program shall agree to implement and fully**
45 **fund an elementary agricultural education program in such school and to continue to**
46 **provide such elementary agricultural education program for a period of no less than three**
47 **years. The local school district may employ an agricultural education teacher to provide**
48 **such program for the elementary school.**

49 **(3) The department, through its employees who work in the agricultural education**
50 **section, and local school districts shall collaborate to establish the instructional model for**
51 **each elementary agricultural education program. Such instructional model shall be grade-**
52 **appropriate and include instruction in an organized classroom, collaborative learning**
53 **experiences through investigation and inquiry, including laboratory and site-based**
54 **learning activities, and personal, leadership, and career development opportunities.**

55 **(4) The department, through its agricultural education section, shall provide for**
56 **a program evaluation regarding the success and impact of the pilot program upon**
57 **completion of the third year of the pilot program and shall report the results of such**
58 **evaluation to the relevant house and senate committees on agriculture and education.**

59 **4. The department shall maintain an adequate number of full-time employees**
60 **certified in agricultural education and distributed regionally throughout the state to**
61 **provide accountability for program delivery of agricultural education, to continue to**
62 **develop and maintain pertinent agricultural education instructional models and standards,**
63 **to assist local school districts on matters related to agricultural education, and to**
64 **coordinate regional and statewide activities supporting K-12 agricultural education**
65 **programming.**

66 **5. Nothing in this section shall be construed to require public elementary schools**
67 **to participate in the pilot program.**

304.060. 1. The state board of education shall adopt and enforce regulations not
2 inconsistent with law to cover the design and operation of all school buses used for the
3 transportation of school children when owned and operated by any school district or privately
4 owned and operated under contract with any school district in this state, and such regulations
5 shall by reference be made a part of any such contract with a school district. The state board of
6 education may adopt rules and regulations governing the use of other vehicles owned by a district
7 or operated under contract with any school district in this state and used for the purpose of
8 transporting school children. The operator of such vehicle shall be licensed in accordance with
9 section 302.272, and such vehicle shall transport no more children than the manufacturer
10 suggests as appropriate for such vehicle. The state board of education may also adopt rules and
11 regulations governing the use of authorized common carriers for the transportation of students
12 on field trips or other special trips for educational purposes. Every school district, its officers
13 and employees, and every person employed under contract by a school district shall be subject
14 to such regulations. The state board of education shall cooperate with the state transportation
15 department and the state highway patrol in placing suitable warning signs at intervals on the
16 highways of the state.

17 2. **Notwithstanding the provisions of this section, any school board in the state of**
18 **Missouri may contract with any municipality for the purpose of providing primary**
19 **transportation services to school children attending a grade or grades not lower than the**
20 **ninth nor higher than the twelfth grade. Such contract shall require the presence of an**
21 **adult supervisor who is approved by the school board on any municipal vehicle while such**
22 **vehicle is transporting children under this subsection. Any time school children are being**
23 **transported by a municipal vehicle under this subsection, such vehicle shall include a**
24 **section of seating designated solely for use by school children. Municipalities entering into**
25 **any such contract shall comply with the requirements of this section and sections 162.064,**
26 **162.065, 168.133, and 307.375.**

27 3. Notwithstanding [~~the provisions of subsection 1~~] **any other provisions** of this section,
28 any school board in the state of Missouri in an urban district containing the greater part of the
29 population of a city which has more than three hundred thousand inhabitants may contract with
30 any municipality, bi-state agency, or other governmental entity for the purpose of [~~transporting~~]
31 **providing additional transportation services to** school children attending a grade or grades
32 not lower than the ninth nor higher than the twelfth grade, provided that such contract shall be
33 for additional transportation services, and shall not replace or fulfill any of the school district's
34 obligations pursuant to section 167.231. The school district may notify students of the option
35 to use district-contracted transportation services.

36 ~~[3-]~~ **4.** Any officer or employee of any school district who violates any of the regulations
37 or fails to include obligation to comply with such regulations in any contract executed by him
38 **or her** on behalf of a school district shall be guilty of misconduct and subject to removal from
39 office or employment. Any person operating a school bus under contract with a school district
40 who fails to comply with any such regulations shall be guilty of breach of contract and such
41 contract shall be cancelled after notice and hearing by the responsible officers of such school
42 district.

43 ~~[4-]~~ **5.** Any other provision of the law to the contrary notwithstanding, in any county of
44 the first class with a charter form of government adjoining a city not within a county, school
45 buses may bear the word "special".

 Section B. Because of the importance of continued funding for early childhood education
2 programs, the enactment of section 162.703 of this act is deemed necessary for the immediate
3 preservation of the public health, welfare, peace and safety, and is hereby declared to be an
4 emergency act within the meaning of the constitution, and the enactment of section 162.703 of
5 this act shall be in full force and effect upon its passage and approval.

 Section C. The repeal and reenactment of section 161.825 of this act shall become
2 effective on July 1, 2020.

✓