

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 725,
2 Page 40, Section 138.060, Line 25, by inserting after all of said section and line the following:

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

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

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

26 (3) "Current operating expenditures":

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

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

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

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

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

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

15 (b) "Regional wage per job":

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

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

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

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

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

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

45 (7) "Free and reduced price lunch threshold" shall be calculated by dividing the total free
46 and reduced price lunch pupil count of every performance district that falls entirely above the
47 bottom five percent and entirely below the top five percent of average daily attendance, when such
48 districts are rank-ordered based on their current operating expenditures per average daily attendance,
49 by the total average daily attendance of all included performance districts;

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

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

18 (10) "Local effort":

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

34 (b) In every fiscal year subsequent to fiscal year 2007 through June 30, 2021, "local effort"
35 shall be the amount calculated under paragraph (a) of this subdivision plus any increase in the
36 amount received for school purposes from fines. In every fiscal year beginning on or after July 1,
37 2021, "local effort" shall be the amount calculated under paragraph (a) of this subdivision, and any
38 increase in the amount received for school purposes from fines shall not be included. If a district's
39 assessed valuation has decreased subsequent to the calculation outlined in paragraph (a) of this
40 subdivision, the district's local effort shall be calculated using the district's current assessed
41 valuation in lieu of the assessed valuation utilized in the calculation outlined in paragraph (a) of this
42 subdivision. When a change in a school district's boundary lines occurs because of a boundary line
43 change, annexation, attachment, consolidation, reorganization, or dissolution under section 162.071,
44 162.081, sections 162.171 to 162.201, section 162.221, 162.223, 162.431, 162.441, or 162.451, or in
45 the event that a school district assumes any territory from a district that ceases to exist for any
46 reason, the department of elementary and secondary education shall make a proper adjustment to
47 each affected district's local effort, so that each district's local effort figure conforms to the new
48 boundary lines of the district. The department shall compute the local effort figure by applying the
49 calendar year 2004 assessed valuation data to the new land areas resulting from the boundary line

1 change, annexation, attachment, consolidation, reorganization, or dissolution and otherwise follow
2 the procedures described in this subdivision;

3 (11) "Membership" shall be the average of:

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

8 (b) The number of resident full-time students and the full-time equivalent number of part-
9 time students who were enrolled in the public schools of the district on the last Wednesday in
10 January of the previous year and who were in attendance one day or more during the preceding ten
11 school days, plus the full-time equivalent number of summer school pupils. "Full-time equivalent
12 number of part-time students" is determined by dividing the total number of hours for which all
13 part-time students are enrolled by the number of hours in the school term. "Full-time equivalent
14 number of summer school pupils" is determined by dividing the total number of hours for which all
15 summer school pupils were enrolled by the number of hours required pursuant to section 160.011 in
16 the school term. Only students eligible to be counted for average daily attendance shall be counted
17 for membership;

18 (12) "Operating levy for school purposes", the sum of tax rates levied for teachers' and
19 incidental funds plus the operating levy or sales tax equivalent pursuant to section 162.1100 of any
20 transitional school district containing the school district, in the payment year, not including any
21 equalized operating levy for school purposes levied by a special school district in which the district
22 is located;

23 (13) "Performance district", any district that has met performance standards and indicators
24 as established by the department of elementary and secondary education for purposes of
25 accreditation under section 161.092 and as reported on the final annual performance report for that
26 district each year; for calculations to be utilized for payments in fiscal years subsequent to fiscal
27 year 2018, the number of performance districts shall not exceed twenty-five percent of all public
28 school districts;

29 (14) "Performance levy", three dollars and forty-three cents;

30 (15) "School purposes" pertains to teachers' and incidental funds;

31 (16) "Special education pupil count", the number of public school students with a current
32 individualized education program or services plan and receiving services from the resident district
33 as of December first of the preceding school year, except for special education services provided
34 through a school district established under sections 162.815 to 162.940 in a county with a charter
35 form of government and with more than one million inhabitants, in which case the sum of the
36 students in each district within the county exceeding the special education threshold of each
37 respective district within the county shall be counted within the special district and not in the district
38 of residence for purposes of distributing the state aid derived from the special education pupil count;

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

44 (18) "State adequacy target", the sum of the current operating expenditures of every
45 performance district that falls entirely above the bottom five percent and entirely below the top five
46 percent of average daily attendance, when such districts are rank-ordered based on their current
47 operating expenditures per average daily attendance, divided by the total average daily attendance of
48 all included performance districts. The department of elementary and secondary education shall
49 first calculate the state adequacy target for fiscal year 2007 and recalculate the state adequacy target

1 every two years using the most current available data. The recalculation shall never result in a
2 decrease from the state adequacy target as calculated for fiscal years 2017 and 2018 and any state
3 adequacy target figure calculated subsequent to fiscal year 2018. Should a recalculation result in an
4 increase in the state adequacy target amount, fifty percent of that increase shall be included in the
5 state adequacy target amount in the year of recalculation, and fifty percent of that increase shall be
6 included in the state adequacy target amount in the subsequent year. The state adequacy target may
7 be adjusted to accommodate available appropriations as provided in subsection 7 of section
8 163.031;

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

14 (20) "Weighted average daily attendance", the average daily attendance plus the product of
15 twenty-five hundredths multiplied by the free and reduced price lunch pupil count that exceeds the
16 free and reduced price lunch threshold, plus the product of seventy-five hundredths multiplied by
17 the number of special education pupil count that exceeds the special education threshold, plus the
18 product of six-tenths multiplied by the number of limited English proficiency pupil count that
19 exceeds the limited English proficiency threshold. For special districts established under sections
20 162.815 to 162.940 in a county with a charter form of government and with more than one million
21 inhabitants, weighted average daily attendance shall be the average daily attendance plus the
22 product of twenty-five hundredths multiplied by the free and reduced price lunch pupil count that
23 exceeds the free and reduced price lunch threshold, plus the product of seventy-five hundredths
24 multiplied by the sum of the special education pupil count that exceeds the threshold for each
25 county district, plus the product of six-tenths multiplied by the limited English proficiency pupil
26 count that exceeds the limited English proficiency threshold. None of the districts comprising a
27 special district established under sections 162.815 to 162.940 in a county with a charter form of
28 government and with more than one million inhabitants[,] shall use any special education pupil
29 count in calculating their weighted average daily attendance."; and

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