

FIRST REGULAR SESSION
[PERFECTED WITH PERFECTING AMENDMENT]

HOUSE BILL NO. 151

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SHIELDS.

0888H.01D

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 160.2700, 160.2705, and 168.205, RSMo, and to enact in lieu thereof five new sections relating to alternative elementary and secondary educational opportunities.

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

Section A. Sections 160.2700, 160.2705, and 168.205, RSMo, are repealed and five new sections enacted in lieu thereof, to be known as sections 160.2700, 160.2705, 161.214, 168.205, and 168.212 to read as follows:

160.2700. For purposes of sections 160.2700 to 160.2725, "adult high school" means a school that:

(1) Is for individuals who do not have a high school diploma and who are twenty-one years of age or older;

(2) Offers an industry certification program or programs and a high school diploma in a manner that allows students to earn a diploma at the same time that they earn an industry certification;

(3) Offers ~~on-site~~ child care for children of enrolled students attending the school; and

(4) Is not eligible to receive funding under section 160.415 or 163.031.

160.2705. 1. The department of elementary and secondary education shall authorize before January 1, 2018, a Missouri-based nonprofit organization meeting the criteria under subsection 2 of this section to establish and operate four adult high schools, with:

(1) One adult high school to be located in a city not within a county;

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.

5 (2) One adult high school to be located in a county of the third classification without a
6 township form of government and with more than forty-one thousand but fewer than forty-five
7 thousand inhabitants or a county contiguous to that county;

8 (3) One adult high school to be located in a county of the first classification with more
9 than two hundred sixty thousand but fewer than three hundred thousand inhabitants or a county
10 contiguous to that county; and

11 (4) One adult high school to be located in a county of the first classification with more
12 than one hundred fifty thousand but fewer than two hundred thousand inhabitants.

13 2. The department of elementary and secondary education shall grant the authorization
14 described under subsection 1 of this section based on a bid process conducted in accordance with
15 the rules and regulations governing purchasing through the office of administration. The
16 successful bidder shall:

17 (1) Demonstrate the ability to establish, within twenty-one months of the receipt of the
18 authorization, four adult high schools offering high school diplomas, an industry certification
19 program or programs, and [~~on-site~~] child care for children of the students attending the high
20 schools;

21 (2) Commit at least two million dollars in investment for the purpose of establishing the
22 necessary infrastructure to operate four adult high schools;

23 (3) Demonstrate substantial and positive experience in providing services, including
24 industry certifications and job placement services, to adults twenty-one years of age or older
25 whose educational and training opportunities have been limited by educational disadvantages,
26 disabilities, homelessness, criminal history, or similar circumstances;

27 (4) Establish a partnership with a state-supported postsecondary education institution or
28 more than one such partnership, if a partnership or partnerships are necessary in order to meet
29 the requirements for an adult high school;

30 (5) Establish a comprehensive plan that sets forth how the adult high schools will help
31 address the need for a sufficiently trained workforce in the surrounding region for each adult high
32 school;

33 (6) Establish partnerships and strategies for engaging the community and business
34 leaders in carrying out the goals of each adult high school;

35 (7) Establish the ability to meet quality standards through certified teachers and programs
36 that support each student in his or her goal to find a more rewarding job;

37 (8) Establish a plan for assisting students in overcoming barriers to educational success
38 including, but not limited to, educational disadvantages, homelessness, criminal history,
39 disability, including learning disability such as dyslexia, and similar circumstances;

40 (9) Establish a process for determining outcomes of the adult high school, including
41 outcomes related to a student's ability to find a more rewarding job through the attainment of a
42 high school diploma and job training and certification; and

43 (10) Bids shall not include an administrative fee greater than ten percent.

44 3. (1) The department of elementary and secondary education shall establish academic
45 requirements for students to obtain high school diplomas.

46 (2) Requirements for a high school diploma shall be based on an adult student's prior
47 high school achievement and the remaining credits and coursework that would be necessary for
48 the student to receive a high school diploma if he or she were in a traditional high school setting.
49 The adult student shall meet the requirements with the same level of academic rigor as would
50 otherwise be necessary to attain such credits.

51 (3) The adult high school authorized under this section shall award high school diplomas
52 to students who successfully meet the established academic requirements. The adult high school
53 authorized under this section shall confer the diploma as though the student earned the diploma
54 at a traditional high school. The diploma shall have no differentiating marks, titles, or other
55 symbols.

56 (4) Students at adult high schools may complete required coursework at their own pace
57 and as available through the adult high school. They shall not be required to satisfy any specific
58 number of class minutes. The adult high school may also make classes available to students
59 online as may be appropriate. However, students shall not complete the majority of instruction
60 of the school's curriculum online or through remote instruction. **For the purposes of this**
61 **subsection, synchronous instruction connecting students to a live class conducted in a**
62 **Missouri adult high school shall be treated the same as in-person instruction.**

63 (5) The department of elementary and secondary education shall not create additional
64 regulations or burdens on the adult high school or the students attending the adult high schools
65 beyond certifying necessary credits and ensuring that students have sufficiently mastered the
66 subject matter to make them eligible for credit.

67 **4. An adult high school shall be deemed a "secondary school system" for the**
68 **purposes of subdivision (15) of subsection 1 of section 210.211.**

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

2 (1) "Board", the state board of education;

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

4 (3) "School innovation team", a group of natural persons representing:

5 (a) A single elementary or secondary school;

6 (b) A group of two or more elementary or secondary schools within the same school
7 district that share common interests, such as geographical location or educational focus,

8 or that sequentially serve classes of students as they progress through elementary and
9 secondary education;

10 (c) A group of two or more elementary or secondary schools not within the same
11 school district that share common interests, such as geographical location or educational
12 focus, or that sequentially serve classes of students as they progress through elementary
13 and secondary education;

14 (d) A single school district; or

15 (e) A group of two or more school districts that share common interests, such as
16 geographical location or educational focus, or that sequentially serve classes of students as
17 they progress through elementary and secondary education;

18 (4) "School innovation waiver", a waiver granted by the board to a single school,
19 group of schools, single school district, or group of school districts under this section, in
20 which the school, group of schools, school district, or group of school districts is exempt
21 from a specific requirement imposed by chapter 160, 161, 162, 167, 170, or 171, or any
22 regulations promulgated under such chapters by the board or the department. Any school
23 innovation waiver granted to a school district or group of school districts shall apply to
24 every elementary and secondary school within the school district or group of school
25 districts unless the plan specifically provides otherwise.

26 2. Any school innovation team seeking a school innovation waiver may submit a
27 plan to the board for one or more of the following purposes:

28 (1) Improving student readiness for employment, higher education, vocational
29 training, technical training, or any other form of career and job training;

30 (2) Increasing the compensation of teachers; or

31 (3) Improving the recruitment, retention, training, preparation, or professional
32 development of teachers.

33 3. Any plan for a school innovation waiver shall:

34 (1) Identify the specific provision of law for which a waiver is being requested and
35 provide an explanation for why the specific provision of law inhibits the ability of the
36 school or school district to accomplish the goal stated in the plan;

37 (2) Demonstrate that the intent of the specific provision of law can be addressed in
38 a more effective, efficient, or economical manner and that the waiver or modification is
39 necessary to implement the plan;

40 (3) Include measurable annual performance targets and goals for the
41 implementation of the plan;

42 (4) Specify the innovations to be pursued in meeting one or more of the goals listed
43 in subsection 2 of this section;

44 **(5) Demonstrate parental, school employee, and community and business support**
45 **for, and engagement with, the plan; and**

46 **(6) Be approved by at least the minimum number of people required to be on the**
47 **school innovation team prior to submitting the plan for approval.**

48 **4. (1) In evaluating a plan submitted by a school innovation team under subsection**
49 **2 of this section, the board shall consider whether the plan will:**

50 **(a) Improve the preparation, counseling, and overall readiness of students for**
51 **postsecondary life;**

52 **(b) Increase teacher salaries in a financially sustainable and prudent manner; or**

53 **(c) Increase the attractiveness of the teaching profession for prospective teachers**
54 **and active teachers alike.**

55 **(2) The board may approve any plan submitted under subsection 2 of this section**
56 **if the board determines that:**

57 **(a) The plan successfully demonstrates the ability to address the intent of the**
58 **provision of law to be waived in a more effective, efficient, or economical manner;**

59 **(b) The waivers or modifications are demonstrated to be necessary to stimulate or**
60 **improve student readiness for postsecondary life, increase teacher salaries, or increase the**
61 **attractiveness of the teaching profession for prospective teachers and active teachers;**

62 **(c) The plan has demonstrated sufficient participation from among the teachers,**
63 **principal, superintendent, faculty, school board, parents, and the community at large; and**

64 **(d) The plan is based upon sound educational practices, does not endanger the**
65 **health and safety of students or staff, and does not compromise equal opportunity for**
66 **learning.**

67 **(3) The board may propose modifications to the plan in cooperation with the school**
68 **innovation team.**

69 **5. Any waiver granted under this section shall be effective for a period of no longer**
70 **than three school years beginning the school year following the school year in which the**
71 **waiver is approved. Any waiver may be renewed. No more than one school innovation**
72 **waiver shall be in effect with respect to any one elementary or secondary school at one**
73 **time.**

74 **6. This section shall not be construed to allow the board to authorize the waiver of**
75 **any statutory requirements relating to school start date, teacher certification, teacher**
76 **tenure, or any requirement imposed by federal law.**

77 **7. The board may promulgate rules implementing the provisions of this section.**
78 **Any rule or portion of a rule, as that term is defined in section 536.010, that is created**
79 **under the authority delegated in this section shall become effective only if it complies with**

80 and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
81 This section and chapter 536 are nonseverable, and if any of the powers vested with the
82 general assembly pursuant to chapter 536 to review, to delay the effective date, or to
83 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
84 rulemaking authority and any rule proposed or adopted after August 28, 2021, shall be
85 invalid and void.

168.205. 1. Notwithstanding any provision of law to the contrary, two or more school
2 districts may share a superintendent who possesses a valid Missouri superintendent's license.
3 If any school districts choose to share a superintendent, they shall not be required to receive
4 approval from the department of elementary and secondary education but may notify the
5 department.

6 2. (1) Beginning on July 1, 2022, subject to appropriation, a school district that
7 enters into an agreement with another school district to share a superintendent shall
8 receive additional state aid as provided in this subsection.

9 (2) The department of elementary and secondary education shall annually
10 distribute thirty thousand dollars to any school district that shares a superintendent under
11 this subsection. Any such amount distributed to a school district shall be in addition to and
12 shall not be included in any calculation of state aid under chapter 163.

13 (3) To receive the additional thirty thousand dollars under this subsection, the
14 school district shall provide proof to the department of elementary and secondary
15 education that the school district will use all of the additional thirty thousand dollars
16 received under this subsection and at least half of the amount saved as a result of
17 participating in sharing a superintendent under this subsection to compensate teachers or
18 to provide counseling services.

19 (4) No school district that receives additional funding under this subsection shall
20 receive such funding for more than five years.

168.212. No individual employed by a school board to exercise supervisory duties
2 within the school district shall directly or indirectly receive compensation from a district
3 benefit plan or any agency contracting with the district to provide benefits for two years
4 after the individual's employment ends.

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