

FIRST REGULAR SESSION

# SENATE BILL NO. 49

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SIFTON.

Pre-filed December 1, 2014, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0237S.03I

## AN ACT

To repeal sections 162.081, 167.131, 167.241, and 171.031, RSMo, and to enact in lieu thereof twenty-six new sections relating to elementary and secondary education, with an emergency clause.

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

Section A. Sections 162.081, 167.131, 167.241, and 171.031, RSMo, are  
2 repealed and twenty-six new sections enacted in lieu thereof, to be known as  
3 sections 161.086, 161.238, 161.950, 161.952, 161.954, 161.956, 162.081, 162.1310,  
4 162.1313, 167.127, 167.131, 167.241, 167.685, 167.687, 167.730, 167.825, 167.826,  
5 167.827, 167.830, 167.833, 167.836, 167.839, 167.842, 167.845, 167.848, and  
6 171.031, to read as follows:

**161.086. When the state board of education assigns classification  
2 designations to school districts and individual school buildings  
3 pursuant to its authority to classify the public schools of the state in  
4 section 161.092, the state board shall only use the following  
5 classification designations based on the standards adopted by the state  
6 board:**

- 7 **(1) Unaccredited;**
- 8 **(2) Provisionally accredited;**
- 9 **(3) Accredited; and**
- 10 **(4) Accredited with distinction.**

**161.238. 1. As authorized under its duty to classify the schools  
2 of the state under section 161.092, the state board of education shall  
3 adopt a system of classification that accredits individual school  
4 buildings within a district separately from the district as a whole using**

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

5 the classification designations provided in section 161.086.

6           2. Any rule or portion of a rule, as that term is defined in section  
7 536.010 that is created under the authority delegated in this section  
8 shall become effective only if it complies with and is subject to all of  
9 the provisions of chapter 536, and, if applicable, section 536.028. This  
10 section and chapter 536 are nonseverable and if any of the powers  
11 vested with the general assembly pursuant to chapter 536, to review, to  
12 delay the effective date, or to disapprove and annul a rule are  
13 subsequently held unconstitutional, then the grant of rulemaking  
14 authority and any rule proposed or adopted after the effective date of  
15 this section shall be invalid and void.

161.950. 1. The provisions of sections 161.950 to 161.956 shall be  
2 known as the "Missouri Parent/Teacher Involvement Act". The  
3 "Missouri Parent/Teacher Involvement Program" is hereby established  
4 for the purpose of providing grant awards to schools in which a  
5 majority of school staff, including administrators, teachers, counselors,  
6 and other support staff agree to develop and build trusting  
7 relationships between families and school staff, thereby increasing  
8 communication and accountability, with the goal of improving the  
9 academic and social success of pupils. The department of elementary  
10 and secondary education shall coordinate and administer the  
11 program. Priority for distribution of grant moneys under the program  
12 established under sections 161.950 to 161.956 shall be given to districts  
13 that are unaccredited or provisionally accredited.

14           2. Schools serving grades K-12 within the state shall operate  
15 parent/teacher involvement programs that meet the following  
16 requirements:

17           (1) At least fifty percent of the staff employed at the school site  
18 shall voluntarily agree to participate in periodic visits to the homes of  
19 pupils;

20           (2) Prior to the commencement of home visits, a school shall  
21 establish a compact in which parents and legal guardians agree to  
22 participate in periodic home visits;

23           (3) A teacher who participates in the program shall receive  
24 training in strategies for communicating effectively with parents and  
25 legal guardians and in conducting periodic home visits. These  
26 strategies may include providing parents and legal guardians with

27 guidance on how to reinforce educational objectives with their children  
28 at home;

29 (4) Teachers, administrators, counselors, and other support staff  
30 shall be compensated for their participation in home visits in their  
31 contract with extra service pay or extra duty pay;

32 (5) All home visits under the program shall be conducted by a  
33 pair or team that includes the classroom teacher of the pupil and one  
34 other person who works at the school on a full-time basis.

161.952. 1. Beginning in the 2016-2017 school year, each school  
2 board shall adopt a policy on parental involvement in the schools of the  
3 district. The policy shall be designed to build consistent and effective  
4 communication between the parents and guardians of pupils enrolled  
5 in the district and the teachers and administrators assigned to the  
6 schools the pupils attend. The policy shall provide the opportunity for  
7 parents and guardians to be actively involved in the pupil's education  
8 and to be informed of the following:

9 (1) The importance of the involvement of parents and guardians  
10 in directly affecting the success of their children's educational efforts;

11 (2) How and when to assist and support their children or foster  
12 children in classroom learning activities;

13 (3) Techniques, strategies, and skills to use at home to improve  
14 their children's academic success and to support their children's  
15 academic efforts at school and their children's development as future  
16 responsible adult members of society.

17 2. The state board of education shall adopt recommendations for  
18 the development of parental involvement policies under this section.

161.954. 1. There is hereby created in the state treasury the  
2 "Missouri Parent/Teacher Involvement Program Fund", which shall  
3 consist of money appropriated for the program established under  
4 section 161.950. The state treasurer shall be custodian of the fund. In  
5 accordance with sections 30.170 and 30.180, the state treasurer may  
6 approve disbursements. The fund shall be a dedicated fund and, upon  
7 appropriation, money in the fund shall be used solely for the  
8 administration of sections 161.950 to 161.956.

9 2. Notwithstanding the provisions of section 33.080 to the  
10 contrary, any moneys remaining in the fund at the end of the biennium  
11 shall not revert to the credit of the general revenue fund.

12           **3. The state treasurer shall invest moneys in the fund in the**  
13 **same manner as other funds are invested. Any interest and moneys**  
14 **earned on such investments shall be credited to the fund.**

**161.956. Under section 23.253 of the Missouri sunset act:**

2           **(1) The provisions of the new program authorized under sections**  
3 **161.950 to 161.956 shall automatically sunset six years after the**  
4 **effective date of sections 161.950 to 161.956 unless reauthorized by an**  
5 **act of the general assembly; and**

6           **(2) If such program is reauthorized, the program authorized**  
7 **under sections 161.950 to 161.956 shall automatically sunset twelve**  
8 **years after the effective date of the reauthorization of sections 161.950**  
9 **to 161.956; and**

10          **(3) Sections 161.950 to 161.956 shall terminate on September first**  
11 **of the calendar year immediately following the calendar year in which**  
12 **the program authorized under sections 161.950 to 161.956 is sunset.**

          162.081. 1. Whenever any school district in this state fails or refuses in  
2 any school year to provide for the minimum school term required by section  
3 163.021 or is classified unaccredited, the state board of education shall, upon a  
4 district's initial classification or reclassification as unaccredited:

5           (1) Review the governance of the district to establish the conditions under  
6 which the existing school board shall continue to govern; or

7           (2) Determine the date the district shall lapse and determine an  
8 alternative governing structure for the district.

9           2. If at the time any school district in this state shall be classified as  
10 unaccredited, the department of elementary and secondary education shall  
11 conduct at least two public hearings at a location in the unaccredited school  
12 district regarding the accreditation status of the school district. The hearings  
13 shall provide an opportunity to convene community resources that may be useful  
14 or necessary in supporting the school district as it attempts to return to  
15 accredited status, continues under revised governance, or plans for continuity of  
16 educational services and resources upon its attachment to a neighboring  
17 district. The department may request the attendance of stakeholders and district  
18 officials to review the district's plan to return to accredited status, if any; offer  
19 technical assistance; and facilitate and coordinate community resources. Such  
20 hearings shall be conducted at least twice annually for every year in which the  
21 district remains unaccredited or provisionally accredited.

22           3. Upon classification of a district as unaccredited, the state board of

23 education may:

24 (1) Allow continued governance by the existing school district board of  
25 education under terms and conditions established by the state board of education;  
26 or

27 (2) Lapse the corporate organization of the unaccredited district and:

28 (a) Appoint a special administrative board for the operation of all or part  
29 of the district. The number of members of the special administrative board shall  
30 not be less than five, the majority of whom shall be residents of the district. The  
31 members of the special administrative board shall reflect the population  
32 characteristics of the district and shall collectively possess strong experience in  
33 school governance, management and finance, and leadership. **The state board  
34 of education may appoint members of the district's elected school board  
35 to the special administrative board but members of the elected school  
36 board shall not comprise more than forty-nine percent of the special  
37 administrative board's membership.** Within fourteen days after the  
38 appointment by the state board of education, the special administrative board  
39 shall organize by the election of a president, vice president, secretary and a  
40 treasurer, with their duties and organization as enumerated in section  
41 162.301. The special administrative board shall appoint a superintendent of  
42 schools to serve as the chief executive officer of the school district and to have all  
43 powers and duties of any other general superintendent of schools in a  
44 seven-director school district. Any special administrative board appointed under  
45 this section shall be responsible for the operation of the district until such time  
46 that the district is classified by the state board of education as provisionally  
47 accredited for at least two successive academic years, after which time the state  
48 board of education may provide for a transition pursuant to section 162.083; or  
49 (b) Determine an alternative governing structure for the district  
50 including, at a minimum:

51 a. A rationale for the decision to use an alternative form of governance  
52 and in the absence of the district's achievement of full accreditation, the state  
53 board of education shall review and recertify the alternative form of governance  
54 every three years;

55 b. A method for the residents of the district to provide public comment  
56 after a stated period of time or upon achievement of specified academic objectives;

57 c. Expectations for progress on academic achievement, which shall include  
58 an anticipated time line for the district to reach full accreditation; and

59 d. Annual reports to the general assembly and the governor on the

60 progress towards accreditation of any district that has been declared unaccredited  
61 and is placed under an alternative form of governance, including a review of the  
62 effectiveness of the alternative governance; or

63 (c) Attach the territory of the lapsed district to another district or districts  
64 for school purposes; or

65 (d) Establish one or more school districts within the territory of the lapsed  
66 district, with a governance structure specified by the state board of education,  
67 with the option of permitting a district to remain intact for the purposes of  
68 assessing, collecting, and distributing property taxes, to be distributed equitably  
69 on a weighted average daily attendance basis, but to be divided for operational  
70 purposes, which shall take effect sixty days after the adjournment of the regular  
71 session of the general assembly next following the state board's decision unless  
72 a statute or concurrent resolution is enacted to nullify the state board's decision  
73 prior to such effective date.

74 4. If a district remains under continued governance by the school board  
75 under subdivision (1) of subsection 3 of this section and either has been  
76 unaccredited for three consecutive school years and failed to attain accredited  
77 status after the third school year or has been unaccredited for two consecutive  
78 school years and the state board of education determines its academic progress  
79 is not consistent with attaining accredited status after the third school year, then  
80 the state board of education shall proceed under subdivision (2) of subsection 3  
81 of this section in the following school year.

82 5. A special administrative board appointed under this section shall retain  
83 the authority granted to a board of education for the operation of the lapsed  
84 school district under the laws of the state in effect at the time of the lapse and  
85 may enter into contracts with accredited school districts or other education  
86 service providers in order to deliver high-quality educational programs to the  
87 residents of the district. If a student graduates while attending a school building  
88 in the district that is operated under a contract with an accredited school district  
89 as specified under this subsection, the student shall receive his or her diploma  
90 from the accredited school district. The authority of the special administrative  
91 board shall expire at the end of the third full school year following its  
92 appointment, unless extended by the state board of education. If the lapsed  
93 district is reassigned, the special administrative board shall provide an  
94 accounting of all funds, assets and liabilities of the lapsed district and transfer  
95 such funds, assets, and liabilities of the lapsed district as determined by the state  
96 board of education. Neither the special administrative board nor its members or

97 employees shall be deemed to be the state or a state agency for any purpose,  
98 including section 105.711, et seq. The state of Missouri, its agencies and  
99 employees shall be absolutely immune from liability for any and all acts or  
100 omissions relating to or in any way involving the lapsed district, the special  
101 administrative board, its members or employees. Such immunities, and immunity  
102 doctrines as exist or may hereafter exist benefitting boards of education, their  
103 members and their employees shall be available to the special administrative  
104 board, its members and employees.

105         6. Neither the special administrative board nor any district or other entity  
106 assigned territory, assets or funds from a lapsed district shall be considered a  
107 successor entity for the purpose of employment contracts, unemployment  
108 compensation payment pursuant to section 288.110, or any other purpose.

109         7. If additional teachers are needed by a district as a result of increased  
110 enrollment due to the annexation of territory of a lapsed or dissolved district,  
111 such district shall grant an employment interview to any permanent teacher of  
112 the lapsed or dissolved district upon the request of such permanent teacher.

113         8. In the event that a school district with an enrollment in excess of five  
114 thousand pupils lapses, no school district shall have all or any part of such lapsed  
115 school district attached without the approval of the board of the receiving school  
116 district.

117         **9. If the state board of education reasonably believes that a**  
118 **school district is unlikely to provide for the minimum school term**  
119 **required by section 163.021 because of financial difficulty, the state**  
120 **board of education may, prior to the start of the school term:**

121             **(1) Allow continued governance by the existing district school**  
122 **board under terms and conditions established by the state board of**  
123 **education; or**

124             **(2) Lapse the corporate organization of the district and**  
125 **implement one of the options available under subdivision (2) of**  
126 **subsection 3 of this section.**

162.1310. When the state board of education classifies any  
2 district or school building as unaccredited, the district shall notify the  
3 parent or guardian of any student enrolled in the unaccredited district  
4 or unaccredited school and any district taxpayer of the loss of  
5 accreditation within seven business days. The district's notice shall  
6 include an explanation of the option to transfer students to another  
7 accredited school in the district or to another accredited district, and

8 any services students may be entitled to receive. The district's notice  
9 shall be written in a clear, concise, and easy to understand  
10 manner. The district shall post the notice in a conspicuous and  
11 accessible place in each district school. The district shall also send the  
12 notice to each political subdivision located within the boundaries of the  
13 district.

162.1313. The school board of any district that operates an  
2 unaccredited school, provisionally accredited school, or school with a  
3 three year average annual performance report score consistent with a  
4 classification of unaccredited or provisionally accredited shall adopt  
5 a policy regarding the availability of home visits by school  
6 personnel. Pursuant to such policy, the school shall offer to the parent  
7 or guardian of a student enrolled in any such school the opportunity to  
8 have at least one annual home visit.

167.127. If a school district contains a facility that serves  
2 neglected children or delinquent children residing in a court-ordered  
3 group home, an institution for neglected children, or an institution for  
4 delinquent children, the department of elementary and secondary  
5 education shall be prohibited from creating any report or publication  
6 related to the Missouri school improvement program, or any successor  
7 program, in which data from the district's regularly enrolled pupils is  
8 aggregated with data from the children residing in such facilities,  
9 unless the department creates an annotation to such report or  
10 publication with the data collected only from the district's regularly  
11 enrolled pupils and an explanation of the effects of the data from the  
12 children enrolled in such facilities on the aggregate data of the district.

167.131. 1. The board of education of each district in this state that does  
2 not maintain [an accredited] a high school [pursuant to the authority of the  
3 state board of education to classify schools as established in section 161.092]  
4 offering work through the twelfth grade shall pay [the] tuition [of] as  
5 calculated by the receiving district under subsection 2 of this section  
6 and provide transportation consistent with the provisions of section 167.241 for  
7 each pupil resident therein who has completed the work of the highest  
8 grade offered in the schools of the district and who attends [an accredited]  
9 a public high school in another district of the same or an adjoining county.

10 2. The rate of tuition to be charged by the district attended and paid by  
11 the sending district is the per pupil cost of maintaining the district's grade level

12 grouping which includes the school attended. The cost of maintaining a grade  
13 level grouping shall be determined by the board of education of the district but  
14 in no case shall it exceed all amounts spent for teachers' wages, incidental  
15 purposes, debt service, maintenance and replacements. The term "debt service",  
16 as used in this section, means expenditures for the retirement of bonded  
17 indebtedness and expenditures for interest on bonded indebtedness. Per pupil  
18 cost of the grade level grouping shall be determined by dividing the cost of  
19 maintaining the grade level grouping by the average daily pupil attendance. If  
20 there is disagreement as to the amount of tuition to be paid, the facts shall be  
21 submitted to the state board of education, and its decision in the matter shall be  
22 final. Subject to the limitations of this section, each pupil shall be free to attend  
23 the public school of his or her choice.

167.241. Transportation for pupils whose tuition the district of residence  
2 is required to pay by section 167.131 **or section 167.826**, or who are assigned  
3 as provided in section 167.121 shall be provided by the district of residence;  
4 however, in the case of pupils covered by section 167.131, the district of residence  
5 shall be required to provide transportation only to school districts accredited by  
6 the state board of education pursuant to the authority of the state board of  
7 education to classify schools as established in section 161.092 and those school  
8 districts designated by the board of education of the district of residence. **For**  
9 **pupils covered by section 167.826, the district of residence shall be**  
10 **required to provide transportation only to school districts accredited**  
11 **by the state board of education pursuant to the authority of the state**  
12 **board of education to classify schools as established in sections 161.086**  
13 **and 161.092 and those districts designated by the department of**  
14 **elementary and secondary education. For pupils covered by section**  
15 **167.826, the department of elementary and secondary education shall**  
16 **designate at least one accredited district to which the district of**  
17 **residence shall provide transportation. If the designated district**  
18 **reaches full student capacity and is unable to receive additional**  
19 **students, the department of elementary and secondary education shall**  
20 **designate at least one additional accredited district to which the**  
21 **district of residence shall provide transportation.**

167.685. 1. Any unaccredited district, any provisionally  
2 accredited district, or any district with a three year average annual  
3 performance report score consistent with a classification of  
4 unaccredited or provisionally accredited shall offer free tutoring and

5 supplemental education services to students who are performing below  
6 grade level or identified by the district as struggling, using funds from  
7 the school district improvement fund.

8       2. There is hereby created in the state treasury the "School  
9 District Improvement Fund". The fund shall consist of any gifts,  
10 bequests, or public or private donations to such fund. Any person or  
11 entity that makes a gift, bequest, or donation to the fund may specify  
12 the district that shall be the recipient of such gift, bequest, or donation.

13       3. The state treasurer shall be custodian of the fund. In  
14 accordance with sections 30.170 and 30.180, the state treasurer may  
15 approve disbursements. The fund shall be a dedicated fund and, upon  
16 appropriation, money in the fund shall be used solely for the  
17 administration of this section.

18       4. Notwithstanding the provisions of section 33.080 to the  
19 contrary, any moneys remaining in the fund at the end of the biennium  
20 shall not revert to the credit of the general revenue fund.

21       5. The state treasurer shall invest moneys in the fund in the  
22 same manner as other funds are invested. Any interest and moneys  
23 earned on such investments shall be credited to the fund.

167.687. Any unaccredited district, any provisionally accredited  
2 district, or any district with a three year average annual performance  
3 report score consistent with a classification of unaccredited or  
4 provisionally accredited may perform any or all of the following  
5 actions:

6       (1) Implement a new curriculum, including appropriate  
7 professional development, based on scientifically-based research that  
8 offers substantial promise of improving educational achievement of  
9 low-achieving students;

10       (2) Retain an outside expert to advise the district or school on  
11 its progress toward regaining accreditation;

12       (3) Enter into a contract with an education management  
13 company or education services provider to operate a school or schools  
14 within the district that has a demonstrated record of effectiveness;

15       (4) For any unaccredited school, enter into a collaborative  
16 relationship and agreement with an accredited district in which  
17 teachers from the unaccredited school may exchange positions with  
18 teachers from an accredited school in an accredited district for a

19 period of two school weeks.

167.730. 1. Beginning July 1, 2016, every public school in the  
2 metropolitan school district or in any urban school district containing  
3 most or all of a home rule city with more than four hundred thousand  
4 inhabitants and located in more than one county, including charter  
5 schools, shall incorporate a response-to-intervention tiered approach  
6 to reading instruction to focus resources on students who are  
7 determined by their school to need additional or changed instruction  
8 to make progress as readers. At a minimum, the reading levels of  
9 students in kindergarten through tenth grade shall be assessed at the  
10 beginning and middle of the school year, and students who score below  
11 district benchmarks shall be provided with intensive, systematic  
12 reading instruction.

13 2. Beginning January 1, 2016, and every January first thereafter,  
14 every public school in the metropolitan school district or in any urban  
15 school district containing most or all of a home rule city with more  
16 than four hundred thousand inhabitants and located in more than one  
17 county, including charter schools, shall prepare a personalized learning  
18 plan for any kindergarten or first grade student whose most recent  
19 school-wide reading assessment result shows the student is working  
20 below grade level unless the student has been determined by other  
21 means in the current school year to be working at grade level or  
22 above. The provisions of this section shall not apply to students  
23 otherwise served under an individualized education program, to  
24 students receiving services through a plan prepared under Section 504  
25 of the Rehabilitation Act of 1973 that includes an element addressing  
26 reading below grade level, or to students determined to have limited  
27 English proficiency.

28 3. For any student in a metropolitan school district or in any  
29 urban school district containing most or all of a home rule city with  
30 more than four hundred thousand inhabitants and located in more than  
31 one county that is required by this section to have a personalized  
32 learning plan, the student's main teacher shall consult with the  
33 student's parent or guardian during the preparation of the plan and  
34 shall consult, as appropriate, any district personnel or department of  
35 elementary and secondary education personnel with necessary  
36 expertise to develop such a plan. The school shall require the written

37 consent of the parent or guardian to implement the plan; however, if  
38 the school is unsuccessful in contacting the parent or guardian by  
39 January fifteenth, the school may send a letter by certified mail to the  
40 student's last known address stating its intention to implement the plan  
41 by February first.

42 4. After implementing the personalized learning plan through the  
43 end of the student's first grade year, the school shall refer any student  
44 who still performs below grade level for assessment to determine if an  
45 individualized education program is necessary for the student. A  
46 student who is assessed as not needing an individualized education  
47 program but who is reading below grade level at the end of the first  
48 grade shall continue to be required to have a personalized learning  
49 plan until the student is reading at grade level.

50 5. Notwithstanding any provision of law to the contrary, any  
51 student in a metropolitan or in any urban school district containing  
52 most or all of a home rule city with more than four hundred thousand  
53 inhabitants and located in more than one county who is not reading at  
54 second-grade level by the end of second grade may be promoted to the  
55 third grade only under one of the following circumstances:

56 (1) The school provides additional reading instruction during the  
57 summer and demonstrates the student is ready for third grade at the  
58 end of the summer school;

59 (2) The school provides a combined classroom in which the  
60 student continues with the same teacher, sometimes referred to as  
61 "looping". If the student in such a classroom is not reading at third-  
62 grade level by the end of third grade, the student shall be retained in  
63 third grade; or

64 (3) The student's parents or guardians have signed a notice that  
65 they prefer to have their student promoted although the student is  
66 reading below grade level. The school shall have the final  
67 determination on the issue of retention.

68 6. The metropolitan school district, any urban school district  
69 containing most or all of a home rule city with more than four hundred  
70 thousand inhabitants and located in more than one county, and each  
71 charter school located in them shall provide in its annual report card  
72 under section 160.522 the numbers and percentages by grade from first  
73 grade to tenth grade in each school of any students at any grade level

74 who have been promoted who have been determined as reading below  
75 grade level, except that no reporting shall permit the identification of  
76 an individual student.

167.825. 1. Any student who is enrolled in and attends a public  
2 school that is classified as unaccredited by the state board of education  
3 under the system of classification enacted under section 161.238 may  
4 transfer to another public school in the student's district of residence  
5 that offers the student's grade level of enrollment and that is  
6 accredited without provisions by the state board of  
7 education. However, no such transfer shall result in a class size and  
8 assigned enrollment in a receiving school that exceeds the standard  
9 level for class size and assigned enrollment as promulgated in the  
10 Missouri school improvement program's resource standards.

11 2. If the student chooses to attend a magnet school, an  
12 academically selective school, or a school with a competitive entrance  
13 process within his or her district of residence that has admissions  
14 requirements criteria, the student shall meet such admissions  
15 requirements criteria in order to attend.

167.826. 1. If a student residing in an unaccredited district and  
2 living within the attendance boundaries of an unaccredited school is  
3 unable to transfer to another accredited school within his or her  
4 district of residence under section 167.825, the student may transfer to  
5 an accredited school within an accredited district located in the same  
6 or an adjoining county. The student's district of residence shall pay the  
7 student's tuition as established in subsection 3 of this section, or, if  
8 applicable, subsection 4 of this section shall apply. A student who  
9 wishes to transfer to an accredited district shall provide proof that he  
10 or she resided in an unaccredited district and within the attendance  
11 boundaries of an unaccredited school for a minimum of twelve months  
12 prior to applying for a transfer.

13 2. No provisionally accredited district or provisionally  
14 accredited school shall be eligible to receive transfer students. No  
15 unaccredited district or unaccredited school shall be eligible to receive  
16 transfer students.

17 3. The rate of tuition to be charged by the district attended and  
18 paid by the sending district is the per pupil cost of maintaining the  
19 district's grade level grouping which includes the school attended. The

20 cost of maintaining a grade level grouping shall be determined by the  
21 board of education of the district but in no case shall it exceed all  
22 amounts spent for teachers' wages, incidental purposes, debt service,  
23 maintenance, and replacements. The term "debt service", as used in this  
24 section, means expenditures for the retirement of bonded indebtedness  
25 and expenditures for interest on bonded indebtedness. Per pupil cost  
26 of the grade level grouping shall be determined by dividing the cost of  
27 maintaining the grade level grouping by the average daily pupil  
28 attendance. If there is disagreement as to the amount of tuition to be  
29 paid, the facts shall be submitted to the state board of education, and  
30 its decision in the matter shall be final. The school board of a receiving  
31 district, upon a majority vote of the board, may choose to charge a rate  
32 of tuition less than the amount that would otherwise be calculated  
33 under this subsection. If any receiving district chooses to charge a rate  
34 of tuition that is at least thirty percent less than the rate of tuition that  
35 would otherwise be calculated under this subsection, then the  
36 statewide assessment scores and all other performance data for those  
37 students whom the district received shall not be used for five school  
38 years when calculating the performance of the receiving district for  
39 purposes of the Missouri school improvement program.

40       4. If the school board of a receiving district, upon a majority vote  
41 of the board, chooses to charge a rate of tuition that is less than ninety  
42 percent of the rate that would otherwise be calculated under subsection  
43 3 of this section, ten percent of the receiving district's tuition rate shall  
44 be paid from the supplemental tuition fund. There is hereby created in  
45 the state treasury the "Supplemental Tuition Fund". The fund shall  
46 consist of any moneys appropriated annually by the general assembly  
47 from general revenue to such fund, any moneys paid into the state  
48 treasury and required by law to be credited to such fund and any gifts,  
49 bequests, or public or private donations to such fund. The state  
50 treasurer shall be custodian of the fund. In accordance with sections  
51 30.170 and 30.180, the state treasurer may approve disbursements. The  
52 fund shall be a dedicated fund and, upon appropriation, money in the  
53 fund shall be used solely for the administration of this  
54 section. Notwithstanding the provisions of section 33.080 to the  
55 contrary, any moneys remaining in the fund at the end of the biennium  
56 shall not revert to the credit of the general revenue fund. The state

57 treasurer shall invest moneys in the fund in the same manner as other  
58 funds are invested. Any interest and moneys earned on such  
59 investments shall be credited to the fund.

60       5. Each district shall have the right to establish and adopt, by  
61 objective means, a policy for desirable class size and student-teacher  
62 ratios. If a district adopts such a policy, it shall not be required to  
63 accept any transfer students under this section that would violate its  
64 class size or student-teacher ratio. If a student seeking to transfer is  
65 denied admission to a district based on a lack of space under the  
66 district's policy, the student or the student's parent or guardian may  
67 appeal the ruling to the state board of education if he or she believes  
68 the district's policy is unduly restrictive to student transfers. The state  
69 board of education shall review the appropriateness of the district's  
70 policy and shall give special consideration to any district with a  
71 greater than average population of students that qualify for free and  
72 reduced lunch. If the state board of education finds that the district's  
73 policy is unduly restrictive to student transfers, it may limit the  
74 district's policy. The state board of education's decision shall be final.

75       6. When a district is declared unaccredited, it shall contract with  
76 any special school district located in the same or an adjoining county  
77 for the reimbursement of special education services provided by the  
78 special school district for transfer students who are residents of the  
79 unaccredited district.

167.827. 1. By January first annually, each accredited district,  
2 any portion of which is located in the same county or in an adjoining  
3 county to an unaccredited district shall report to the education  
4 authority for the county in which the unaccredited district is located  
5 the number of available enrollment slots by grade level.

6       2. Any education authority whose geographic area includes an  
7 unaccredited district or unaccredited school shall make information  
8 and assistance available to parents or guardians who intend to transfer  
9 their child from an unaccredited district to an accredited district  
10 under section 167.826.

11       3. The parent or guardian of a student who intends to enroll his  
12 or her child in an accredited district under the provisions of section  
13 167.826 shall send initial notification to the education authority for the  
14 county in which he or she resides by March first for enrollment in the

15 subsequent school year.

16           4. The education authority whose geographic area includes an  
17 unaccredited district shall assign those students who seek to  
18 transfer. The authority shall give first priority to students who live in  
19 the same household with any family member within the first or second  
20 degree of consanguinity who already attends an accredited school and  
21 who apply to attend the same accredited school. The authority shall  
22 then grant transfer requests in the order in which they were received.  
23 If insufficient enrollment slots are available for a student to be able to  
24 transfer, that student shall receive first priority the following school  
25 year. If sufficient enrollment slots are available, the authority shall  
26 provide each student a choice of three accredited schools to which he  
27 or she may transfer.

28           5. An education authority may deny a transfer to a student with  
29 a demonstrated and documented history of school discipline policy  
30 violations.

          167.830. 1. There is hereby established the "St. Louis Area  
2 Education Authority". The authority is hereby constituted a public  
3 instrumentality and body politic and corporate, and the exercise by the  
4 authority of the powers conferred by this section shall be deemed and  
5 held to be the performance of an essential public function. Unless  
6 otherwise provided, the authority shall be subject to all general laws  
7 pertaining to the operation of seven-director districts as defined in  
8 section 160.011.

9           2. Whenever any metropolitan school district or any district  
10 located in any county with a charter form of government and with more  
11 than nine hundred fifty thousand inhabitants is assigned a  
12 classification designation of unaccredited by the state board of  
13 education, the authority shall coordinate student transfers from the  
14 unaccredited district to accredited districts that are located in the  
15 same or an adjoining county as the unaccredited district.

16           3. The authority shall consist of three members to be appointed  
17 by the governor, by and with the advice and consent of the senate, each  
18 of whom shall be a resident of the state and a resident of any county  
19 with a charter form of government and with more than nine hundred  
20 fifty thousand inhabitants or any city not within a county. Not more  
21 than two out of the three members of the authority shall be of the same

22 political party. The length of term for members shall be six years  
23 except for the initial members, who shall be appointed in the following  
24 manner:

- 25 (1) One member shall be appointed for a term of two years;
- 26 (2) One member shall be appointed for a term of four years; and
- 27 (3) One member shall be appointed for a term of six years.

28 4. The term length of each initial appointee shall be designated  
29 by the governor at the time of making the appointment. Upon the  
30 expiration of the initial terms of office, successor members shall be  
31 appointed for terms of six years and shall serve until their successors  
32 shall have been appointed and shall have qualified. Any member shall  
33 be eligible for reappointment. The governor shall fill any vacancy for  
34 the remainder of any unexpired term. Any member of the authority  
35 may be removed by the governor for misfeasance, malfeasance, willful  
36 neglect of duty, or other cause after notice and a public hearing unless  
37 the notice or hearing shall be expressly waived in writing.

38 5. Members of the authority shall receive no compensation for  
39 services, but shall be entitled to reimbursement for necessary expenses,  
40 including traveling and lodging expenses, incurred in the discharge of  
41 their duties. Any payment for expenses shall be paid from funds of the  
42 authority.

43 6. One member of the authority, designated by the governor for  
44 the purpose, shall call and convene the initial organizational meeting  
45 of the authority and shall serve as its president pro tempore. At the  
46 initial meeting and annually thereafter, the authority shall elect one of  
47 its members as president. The authority may appoint an executive  
48 director who shall not be a member of the authority and who shall  
49 serve at its pleasure. If an executive director is appointed, he or she  
50 shall receive such compensation as shall be fixed from time to time by  
51 action of the authority. The authority shall appoint a member as  
52 secretary who shall keep a record of the proceedings of the authority  
53 and shall be the custodian of all books, documents, and papers filed  
54 with the authority, the minute books or journal thereof, and its official  
55 seal. The secretary may cause copies to be made of all minutes and  
56 other records and documents of the authority and may give certificates  
57 under the official seal of the authority to the effect that the copies are  
58 true and correct copies, and all persons dealing with the authority may

59 rely on such certificates. The authority, by resolution duly adopted,  
60 shall fix the powers and duties of its executive director as it may, from  
61 time to time, deem proper and necessary.

62 7. Meetings, records, and operations of the authority shall be  
63 subject to the provisions of chapter 610.

64 8. The authority shall have the following powers, together with  
65 all powers incidental thereto or necessary for the performance thereof  
66 to:

67 (1) Have perpetual succession as a body politic and corporate;

68 (2) Adopt bylaws for the regulation of its affairs and the conduct  
69 of its business;

70 (3) Sue and be sued and to prosecute and defend, at law or in  
71 equity, in any court having jurisdiction of the subject matter and of the  
72 parties;

73 (4) Establish and use a corporate seal and to alter the same at  
74 pleasure;

75 (5) Maintain an office at such place or places in the state of  
76 Missouri as it may designate;

77 (6) Employ an executive director and other staff as needed, with  
78 compensation fixed by the authority;

79 (7) Coordinate student transfers from unaccredited districts  
80 located in any city not within a county or any county with a charter  
81 form of government and with more than nine hundred fifty thousand  
82 inhabitants to accredited districts in the same or an adjoining county,  
83 as provided by law;

84 (8) Coordinate and collaborate with local districts and local  
85 governments for the transfer of students from unaccredited districts  
86 located in any city not within a county or any county with a charter  
87 form of government and with more than nine hundred fifty thousand  
88 inhabitants to accredited districts in the same or an adjoining county,  
89 as provided by law.

167.833. 1. There is hereby created in the state treasury the "St.  
2 Louis Area Education Authority Fund". The fund shall consist of any  
3 gifts, bequests, or public or private donations to such fund. Any  
4 moneys in the fund shall be used to fund the operations of the student  
5 transfer coordination authority. The state treasurer shall be custodian  
6 of the fund. In accordance with sections 30.170 and 30.180, the state

7 treasurer may approve disbursements. The fund shall be a dedicated  
8 fund and, upon appropriation, money in the fund shall be used solely  
9 for the administration of sections 167.830 and 167.833.

10 2. Notwithstanding the provisions of section 33.080 to the  
11 contrary, any moneys remaining in the fund at the end of the biennium  
12 shall not revert to the credit of the general revenue fund.

13 3. The state treasurer shall invest moneys in the fund in the  
14 same manner as other funds are invested. Any interest and moneys  
15 earned on such investments shall be credited to the fund.

167.836. 1. There is hereby established the "Jackson County  
2 Education Authority". The authority is hereby constituted a public  
3 instrumentality and body politic and corporate, and the exercise by the  
4 authority of the powers conferred by this section shall be deemed and  
5 held to be the performance of an essential public function. Unless  
6 otherwise provided, the authority shall be subject to all general laws  
7 pertaining to the operation of seven-director districts as defined in  
8 section 160.011.

9 2. Whenever any district located in any county with a charter  
10 form of government and with more than six hundred thousand but  
11 fewer than seven hundred thousand inhabitants is assigned a  
12 classification designation of unaccredited by the state board of  
13 education, the authority shall coordinate student transfers from the  
14 unaccredited district to accredited districts that are located in the  
15 same or an adjoining county as the unaccredited district.

16 3. The authority shall consist of three members to be appointed  
17 by the governor, by and with the advice and consent of the senate, each  
18 of whom shall be a resident of the state and a resident of any county  
19 with a charter form of government and with more than six hundred  
20 thousand but fewer than seven hundred thousand inhabitants. Not  
21 more than two out of the three members of the authority shall be of the  
22 same political party. The length of term for members shall be six years  
23 except for the initial members, who shall be appointed in the following  
24 manner:

- 25 (1) One member shall be appointed for a term of two years;  
26 (2) One member shall be appointed for a term of four years; and  
27 (3) One member shall be appointed for a term of six years.  
28 4. The term length of each initial appointee shall be designated

29 by the governor at the time of making the appointment. Upon the  
30 expiration of the initial terms of office, successor members shall be  
31 appointed for terms of six years and shall serve until their successors  
32 shall have been appointed and shall have qualified. Any member shall  
33 be eligible for reappointment. The governor shall fill any vacancy for  
34 the remainder of any unexpired term. Any member of the authority  
35 may be removed by the governor for misfeasance, malfeasance, willful  
36 neglect of duty, or other cause after notice and a public hearing unless  
37 the notice or hearing shall be expressly waived in writing.

38       5. Members of the authority shall receive no compensation for  
39 services, but shall be entitled to reimbursement for necessary expenses,  
40 including traveling and lodging expenses, incurred in the discharge of  
41 their duties. Any payment for expenses shall be paid from funds of the  
42 authority.

43       6. One member of the authority, designated by the governor for  
44 the purpose, shall call and convene the initial organizational meeting  
45 of the authority and shall serve as its president pro tempore. At the  
46 initial meeting and annually thereafter, the authority shall elect one of  
47 its members as president. The authority may appoint an executive  
48 director who shall not be a member of the authority and who shall  
49 serve at its pleasure. If an executive director is appointed, he or she  
50 shall receive such compensation as shall be fixed from time to time by  
51 action of the authority. The authority shall appoint a member as  
52 secretary who shall keep a record of the proceedings of the authority  
53 and shall be the custodian of all books, documents, and papers filed  
54 with the authority, the minute books or journal thereof, and its official  
55 seal. The secretary may cause copies to be made of all minutes and  
56 other records and documents of the authority and may give certificates  
57 under the official seal of the authority to the effect that the copies are  
58 true and correct copies, and all persons dealing with the authority may  
59 rely on such certificates. The authority, by resolution duly adopted,  
60 shall fix the powers and duties of its executive director as it may, from  
61 time to time, deem proper and necessary.

62       7. Meetings, records, and operations of the authority shall be  
63 subject to the provisions of chapter 610.

64       8. The authority shall have the following powers, together with  
65 all powers incidental thereto or necessary for the performance thereof

66 to:

- 67           **(1) Have perpetual succession as a body politic and corporate;**  
68           **(2) Adopt bylaws for the regulation of its affairs and the conduct**  
69 **of its business;**  
70           **(3) Sue and be sued and to prosecute and defend, at law or in**  
71 **equity, in any court having jurisdiction of the subject matter and of the**  
72 **parties;**  
73           **(4) Establish and use a corporate seal and to alter the same at**  
74 **pleasure;**  
75           **(5) Maintain an office at such place or places in the state of**  
76 **Missouri as it may designate;**  
77           **(6) Employ an executive director and other staff as needed, with**  
78 **compensation fixed by the authority;**  
79           **(7) Coordinate student transfers from unaccredited districts**  
80 **located in any county with a charter form of government and with more**  
81 **than six hundred thousand but fewer than seven hundred thousand**  
82 **inhabitants to accredited districts in the same or an adjoining county,**  
83 **as provided by law;**  
84           **(8) Coordinate and collaborate with local districts and local**  
85 **governments for the transfer of students from unaccredited districts**  
86 **located in any county with a charter form of government and with more**  
87 **than six hundred thousand but fewer than seven hundred thousand**  
88 **inhabitants to accredited districts in the same or an adjoining county,**  
89 **as provided by law.**

167.839. 1. There is hereby created in the state treasury the  
2 "Jackson County Education Authority Fund". The fund shall consist of  
3 any gifts, bequests, or public or private donations to such fund. Any  
4 moneys in the fund shall be used to fund the operations of the student  
5 transfer coordination authority. The state treasurer shall be custodian  
6 of the fund. In accordance with sections 30.170 and 30.180, the state  
7 treasurer may approve disbursements. The fund shall be a dedicated  
8 fund and, upon appropriation, money in the fund shall be used solely  
9 for the administration of sections 167.836 and 167.839.

10           2. Notwithstanding the provisions of section 33.080 to the  
11 contrary, any moneys remaining in the fund at the end of the biennium  
12 shall not revert to the credit of the general revenue fund.

13           3. The state treasurer shall invest moneys in the fund in the

14 same manner as other funds are invested. Any interest and moneys  
15 earned on such investments shall be credited to the fund.

167.842. 1. There is hereby established the "Statewide Education  
2 Authority". The authority is hereby constituted a public  
3 instrumentality and body politic and corporate, and the exercise by the  
4 authority of the powers conferred by this section shall be deemed and  
5 held to be the performance of an essential public function. Unless  
6 otherwise provided, the authority shall be subject to all general laws  
7 pertaining to the operation of seven-director districts as defined in  
8 section 160.011. The jurisdiction of the statewide education authority  
9 shall be all counties except for:

10 (1) Any city not within a county;

11 (2) Any county with a charter form of government and with more  
12 than six hundred thousand but fewer than seven hundred thousand  
13 inhabitants;

14 (3) Any county with a charter form of government and with more  
15 than nine hundred fifty thousand inhabitants;

16 2. Whenever any district located in the statewide education  
17 authority's jurisdiction is assigned a classification designation of  
18 unaccredited by the state board of education, the authority shall  
19 coordinate student transfers from the unaccredited district to  
20 accredited districts that are located in the same or an adjoining county  
21 as the unaccredited district.

22 3. The authority shall consist of three members to be appointed  
23 by the governor, by and with the advice and consent of the senate, each  
24 of whom shall be a resident of the state and a resident of any county  
25 located in the authority's jurisdiction. Not more than two out of the  
26 three members of the authority shall be of the same political  
27 party. The length of term for members shall be six years except for the  
28 initial members, who shall be appointed in the following manner:

29 (1) One member shall be appointed for a term of two years;

30 (2) One member shall be appointed for a term of four years; and

31 (3) One member shall be appointed for a term of six years.

32 4. The term length of each initial appointee shall be designated  
33 by the governor at the time of making the appointment. Upon the  
34 expiration of the initial terms of office, successor members shall be  
35 appointed for terms of six years and shall serve until their successors

36 shall have been appointed and shall have qualified. Any member shall  
37 be eligible for reappointment. The governor shall fill any vacancy for  
38 the remainder of any unexpired term. Any member of the authority  
39 may be removed by the governor for misfeasance, malfeasance, willful  
40 neglect of duty, or other cause after notice and a public hearing unless  
41 the notice or hearing shall be expressly waived in writing.

42 5. Members of the authority shall receive no compensation for  
43 services, but shall be entitled to reimbursement for necessary expenses,  
44 including traveling and lodging expenses, incurred in the discharge of  
45 their duties. Any payment for expenses shall be paid from funds of the  
46 authority.

47 6. One member of the authority, designated by the governor for  
48 the purpose, shall call and convene the initial organizational meeting  
49 of the authority and shall serve as its president pro tempore. At the  
50 initial meeting and annually thereafter, the authority shall elect one of  
51 its members as president. The authority may appoint an executive  
52 director who shall not be a member of the authority and who shall  
53 serve at its pleasure. If an executive director is appointed, he or she  
54 shall receive such compensation as shall be fixed from time to time by  
55 action of the authority. The authority shall appoint a member as  
56 secretary who shall keep a record of the proceedings of the authority  
57 and shall be the custodian of all books, documents, and papers filed  
58 with the authority, the minute books or journal thereof, and its official  
59 seal. The secretary may cause copies to be made of all minutes and  
60 other records and documents of the authority and may give certificates  
61 under the official seal of the authority to the effect that the copies are  
62 true and correct copies, and all persons dealing with the authority may  
63 rely on such certificates. The authority, by resolution duly adopted,  
64 shall fix the powers and duties of its executive director as it may, from  
65 time to time, deem proper and necessary.

66 7. Meetings, records, and operations of the authority shall be  
67 subject to the provisions of chapter 610.

68 8. The authority shall have the following powers, together with  
69 all powers incidental thereto or necessary for the performance thereof  
70 to:

- 71 (1) Have perpetual succession as a body politic and corporate;
- 72 (2) Adopt bylaws for the regulation of its affairs and the conduct

73 of its business;

74 (3) Sue and be sued and to prosecute and defend, at law or in  
75 equity, in any court having jurisdiction of the subject matter and of the  
76 parties;

77 (4) Establish and use a corporate seal and to alter the same at  
78 pleasure;

79 (5) Maintain an office at such place or places in the state of  
80 Missouri as it may designate;

81 (6) Employ an executive director and other staff as needed, with  
82 compensation fixed by the authority;

83 (7) Coordinate student transfers from unaccredited districts  
84 located in the jurisdiction of the statewide education authority to  
85 accredited districts in the same or an adjoining county, as provided by  
86 law;

87 (8) Coordinate and collaborate with local districts and local  
88 governments for the transfer of students from unaccredited districts  
89 located in the jurisdiction of the statewide education authority to  
90 accredited districts in the same or an adjoining county, as provided by  
91 law.

167.845. 1. There is hereby created in the state treasury the  
2 "Statewide Education Authority Fund". The fund shall consist of any  
3 gifts, bequests, or public or private donations to such fund. Any  
4 moneys in the fund shall be used to fund the operations of the student  
5 transfer coordination authority. The state treasurer shall be custodian  
6 of the fund. In accordance with sections 30.170 and 30.180, the state  
7 treasurer may approve disbursements. The fund shall be a dedicated  
8 fund and, upon appropriation, money in the fund shall be used solely  
9 for the administration of sections 167.842 and 167.845.

10 2. Notwithstanding the provisions of section 33.080 to the  
11 contrary, any moneys remaining in the fund at the end of the biennium  
12 shall not revert to the credit of the general revenue fund.

13 3. The state treasurer shall invest moneys in the fund in the  
14 same manner as other funds are invested. Any interest and moneys  
15 earned on such investments shall be credited to the fund.

167.848. For purposes of sections 161.086, 161.238, 162.1310,  
2 162.1313, 167.241, 167.685, 167.687, sections 167.825 to 167.848 and  
3 section 171.031, the following terms shall mean:

4           **(1) "Accredited district", a school district that is accredited by**  
5 **the state board of education pursuant to the authority of the state**  
6 **board of education to classify schools as established in sections 161.086**  
7 **and 161.092;**

8           **(2) "Accredited school", a school building that is accredited by**  
9 **the state board of education pursuant to the authority of the state**  
10 **board of education to classify schools as established in sections 161.086,**  
11 **161.092, and 161.238;**

12           **(3) "Education authority" or "authority", an education authority**  
13 **established under sections 167.830 to 167.845;**

14           **(4) "Provisionally accredited district", a school district that is**  
15 **classified as provisionally accredited by the state board of education**  
16 **pursuant to the authority of the state board of education to classify**  
17 **schools as established in sections 161.086 and 161.092;**

18           **(5) "Provisionally accredited school", a school building that is**  
19 **classified as provisionally accredited by the state board of education**  
20 **pursuant to the authority of the state board of education to classify**  
21 **schools as established in sections 161.086, 161.092, and 161.238;**

22           **(6) "Unaccredited district", a school district classified as**  
23 **unaccredited by the state board of education pursuant to the authority**  
24 **of the state board of education to classify schools as established in**  
25 **sections 161.086 and 161.092;**

26           **(7) "Unaccredited school", a school building that is classified as**  
27 **unaccredited by the state board of education pursuant to the authority**  
28 **of the state board of education to classify schools as established in**  
29 **sections 161.086, 161.092, and 161.238.**

171.031. 1. Each school board shall prepare annually a calendar for the  
2 school term, specifying the opening date and providing a minimum term of at  
3 least one hundred seventy-four days for schools with a five-day school week or one  
4 hundred forty-two days for schools with a four-day school week, and one thousand  
5 forty-four hours of actual pupil attendance. In addition, such calendar shall  
6 include six make-up days for possible loss of attendance due to inclement weather  
7 as defined in subsection 1 of section 171.033.

8           2. Each local school district may set its opening date each year, which  
9 date shall be no earlier than ten calendar days prior to the first Monday in  
10 September. No public school district shall select an earlier start date unless the  
11 district follows the procedure set forth in subsection 3 of this section.

12           3. A district may set an opening date that is more than ten calendar days  
13 prior to the first Monday in September only if the local school board first gives  
14 public notice of a public meeting to discuss the proposal of opening school on a  
15 date more than ten days prior to the first Monday in September, and the local  
16 school board holds said meeting and, at the same public meeting, a majority of  
17 the board votes to allow an earlier opening date. If all of the previous conditions  
18 are met, the district may set its opening date more than ten calendar days prior  
19 to the first Monday in September. The condition provided in this subsection must  
20 be satisfied by the local school board each year that the board proposes an  
21 opening date more than ten days before the first Monday in September.

22           4. If any local district violates the provisions of this section, the  
23 department of elementary and secondary education shall withhold an amount  
24 equal to one quarter of the state funding the district generated under section  
25 163.031 for each date the district was in violation of this section.

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

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

34           7. No school day for schools with a five-day school week shall be longer  
35 than seven hours except for:

36           **(1)** Vocational schools which may adopt an eight-hour day in a  
37 metropolitan school district and a school district in a first class county adjacent  
38 to a city not within a county[, and];

39           **(2)** Any school that adopts a four-day school week in accordance with  
40 section 171.029; and

41           **(3)** A school district that increases the length of the school day  
42 for an unaccredited school or provisionally accredited school by  
43 following the procedure established in subsection 8 of this section.

44           8. The school board of any school district in this state, upon  
45 adoption of a resolution by a majority vote to authorize such action,  
46 may increase the length of the school day by ten percent for any  
47 provisionally accredited school or unaccredited school that has a  
48 student population, seventy-five percent of which is eligible for free

49 and reduced lunch or seventy-five percent of which has been eligible  
50 in any of the three previous school years. Such a school district may  
51 also, by the adoption of a resolution by a majority vote to authorize  
52 such action, increase the annual hours of instruction above the  
53 required number of hours in subsection 1 of this section.

54 **9. (1) There is hereby created in the state treasury the "Extended**  
55 **Learning Time Fund". The fund shall consist of any moneys that may**  
56 **be appropriated by the general assembly from general revenue to such**  
57 **fund, any moneys paid into the state treasury and required by law to**  
58 **be credited to such fund and any gifts, bequests, or public or private**  
59 **donations to such fund.**

60 **(2) The state treasurer shall be custodian of the fund. In**  
61 **accordance with sections 30.170 and 30.180, the state treasurer may**  
62 **approve disbursements. The fund shall be a dedicated fund and, upon**  
63 **appropriation, money in the fund shall be used solely for the**  
64 **administration of subsection 8 of this section.**

65 **(3) Notwithstanding the provisions of section 33.080 to the**  
66 **contrary, any moneys remaining in the fund at the end of the biennium**  
67 **shall not revert to the credit of the general revenue fund.**

68 **(4) The state treasurer shall invest moneys in the fund in the**  
69 **same manner as other funds are invested. Any interest and moneys**  
70 **earned on such investments shall be credited to the fund.**

Section B. Because of the importance of improving and sustaining  
2 Missouri's education system and establishing standards for student transfers to  
3 school districts, section A of this act is deemed necessary for the immediate  
4 preservation of the public health, welfare, peace and safety, and is hereby  
5 declared to be an emergency act within the meaning of the constitution, and  
6 section A of this act shall be in full force and effect upon its passage and  
7 approval.

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