

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 152
101ST GENERAL ASSEMBLY

0849H.06C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 160.263, 161.097, 161.217, 161.1050, 162.441, 162.720, 162.974, 162.1250, 163.018, 166.400, 166.410, 166.415, 166.420, 166.425, 166.435, 166.440, 166.456, 166.502, 167.263, 167.268, 167.645, 167.903, 168.021, 168.500, 168.515, 169.596, 170.029, 170.047, 171.033, 173.035, 173.1003, 174.453, 178.890, 209.610, 210.201, and 513.430, RSMo, and to enact in lieu thereof fifty-three new sections relating to education, with an emergency clause for certain sections and a delayed effective date for certain sections.

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

Section A. Sections 160.263, 161.097, 161.217, 161.1050, 162.441, 162.720, 162.974,
2 162.1250, 163.018, 166.400, 166.410, 166.415, 166.420, 166.425, 166.435, 166.440, 166.456,
3 166.502, 167.263, 167.268, 167.645, 167.903, 168.021, 168.500, 168.515, 169.596, 170.029,
4 170.047, 171.033, 173.035, 173.1003, 174.453, 178.890, 209.610, 210.201, and 513.430, RSMo,
5 are repealed and fifty-three new sections enacted in lieu thereof, to be known as sections
6 160.263, 160.560, 160.565, 160.3005, 161.097, 161.214, 161.217, 161.229, 161.380, 161.385,
7 161.625, 161.890, 161.1050, 162.441, 162.686, 162.720, 162.974, 162.1250, 162.1255, 163.018,
8 166.400, 166.410, 166.415, 166.420, 166.425, 166.435, 166.440, 166.456, 166.502, 167.263,
9 167.268, 167.625, 167.645, 167.903, 167.907, 167.908, 168.021, 168.036, 168.500, 168.515,
10 169.596, 170.025, 170.029, 170.047, 171.033, 173.035, 173.1003, 174.453, 178.890, 186.080,
11 209.610, 210.201, and 513.430, to read as follows:

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

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.

2 (1) "Mechanical restraint", the use of any device or equipment to restrict a
3 student's freedom of movement. "Mechanical restraint" shall not include devices
4 implemented by trained personnel or used by a student with a prescription for such devices
5 from an appropriate medical or related services professional and that are used for specific
6 and approved purposes for which such devices were designed, such as the following:

7 (a) Adaptive devices or mechanical supports used to achieve proper body position,
8 balance, or alignment to allow greater freedom of mobility than would be possible without
9 the use of such devices or mechanical supports;

10 (b) Vehicle safety restraints when used as intended during the transport of a
11 student in a moving vehicle;

12 (c) Restraints for medical immobilization; or

13 (d) Orthopedically prescribed devices that permit a student to participate in
14 activities without risk;

15 (2) "Physical restraint", a personal restriction such as person-to-person physical
16 contact that immobilizes, reduces, or restricts the ability of a student to move the student's
17 torso, arms, legs, or head freely. "Physical restraint" shall not include:

18 (a) A physical escort, which is a temporary touching or holding of the hand, wrist,
19 arm, shoulder, or back for the purpose of inducing a student to walk to a safe location;

20 (b) Comforting or calming a student;

21 (c) Holding a student's hand to transport the student for safety purposes;

22 (d) Intervening in a fight; or

23 (e) Using an assistive or protective device prescribed by an appropriately trained
24 professional or professional team;

25 (3) "Prone restraint", using mechanical or physical restraint or both to restrict a
26 student's movement while the student is lying with the student's front or face downward;

27 (4) "Restraint" includes, but is not limited to, mechanical restraint, physical
28 restraint, and prone restraint;

29 (5) "Seclusion", the involuntary confinement of a student alone in a room or area
30 that the student is physically prevented from leaving and that complies with the building
31 code in effect in the school district. "Seclusion" shall not include the following:

32 (a) A timeout, which is a behavior management technique that is part of an
33 approved program, involves the monitored separation of the student in a nonlocked setting,
34 and is implemented for the purpose of calming;

35 (b) In-school suspension;

36 (c) Detention; or

37 (d) Other appropriate disciplinary measures.

38 2. The school discipline policy under section 160.261 shall ~~[prohibit]~~ **reserve** confining
39 a student in ~~[an unattended, locked space except for an emergency situation while awaiting the~~
40 ~~arrival of law enforcement personnel]~~ **seclusion for situations or conditions in which there**
41 **is imminent danger of physical harm to self or others.**

42 3. For all school years beginning on or after July 1, 2022, no school district, charter
43 school, or publicly contracted private provider shall use any mechanical, physical, or prone
44 restraint technique that:

45 (1) **Obstructs views of the student's face;**

46 (2) **Obstructs the student's respiratory airway, impairs the student's breathing or**
47 **respiratory capacity, or restricts the movement required for normal breathing to cause**
48 **positional or postural asphyxia;**

49 (3) **Places pressure or weight on or causes the compression of the student's chest,**
50 **lungs, sternum, diaphragm, back, abdomen, or genitals;**

51 (4) **Obstructs the student's circulation of blood;**

52 (5) **Involves pushing on or into the student's mouth, nose, eyes, or any part of the**
53 **face or involves covering the face or body with anything including, but not limited to, soft**
54 **objects such as pillows, blankets, or washcloths;**

55 (6) **Endangers the student's life or significantly exacerbates the student's medical**
56 **condition;**

57 (7) **Is purposely designed to inflict pain;**

58 (8) **Restricts the student from communicating. If an employee physically restrains**
59 **a student who uses sign language or an augmentative mode of communication as the**
60 **student's primary mode of communication, the student shall be permitted to have the**
61 **student's hands free of restraint for brief periods unless an employee determines that such**
62 **freedom appears likely to result in harm to self or others.**

63 ~~[2-]~~ 4. (1) By July 1, 2011, the local board of education of each school district shall
64 adopt a written policy that comprehensively addresses the use of restrictive behavioral
65 interventions as a form of discipline or behavior management technique. The policy shall be
66 consistent with professionally accepted practices and standards of student discipline, behavior
67 management, health and safety, including the safe schools act. The policy shall include but not
68 be limited to:

69 ~~[(1)]~~ (a) **Definitions of restraint, seclusion, and time-out and any other terminology**
70 **necessary to describe the continuum of restrictive behavioral interventions available for use or**
71 **prohibited in the district, consistent with the provisions of this section;**

72 ~~[(2)]~~ (b) **Description of circumstances under which a restrictive behavioral intervention**
73 **is allowed and prohibited, consistent with the provisions of this section, and any unique**

74 application requirements for specific groups of students such as differences based on age,
75 disability, or environment in which the educational services are provided;

76 ~~[(3)]~~ (c) Specific implementation requirements associated with a restrictive behavioral
77 intervention such as time limits, facility specifications, training requirements or supervision
78 requirements; and

79 ~~[(4)]~~ (d) Documentation, notice and permission requirements associated with use of a
80 restrictive behavioral intervention.

81 **(2) Before July 1, 2022, each written policy adopted under this subsection shall be**
82 **updated to prohibit the school district, charter school, or publicly contracted private**
83 **provider from using any restraint that employs any technique listed in subsection 3 of this**
84 **section.**

85 **(3) Before July 1, 2022, each written policy adopted under this subsection shall be**
86 **updated to state that the school district, charter school, or publicly contracted private**
87 **provider will reserve restraint or seclusion for situations or conditions in which there is**
88 **imminent danger of physical harm to self or others.**

89 **5. Before July 1, 2022, each school district, charter school, and publicly contracted**
90 **private provider shall ensure that the policy adopted under subsection 4 of this section**
91 **requires the following:**

92 **(1) Any student placed in seclusion or restraint shall be removed from such**
93 **seclusion or restraint as soon as the school district, charter school, or publicly contracted**
94 **private provider determines that the student is no longer an imminent danger of physical**
95 **harm to self or others;**

96 **(2) All school district, charter school, and publicly contracted private provider**
97 **personnel shall annually review the policy and procedures involving the use of seclusion**
98 **and restraint. Personnel who use seclusion or restraint shall annually complete mandatory**
99 **training in the specific seclusion and restraint techniques the school district, charter school,**
100 **or publicly contracted private provider uses under this section;**

101 **(3) (a) Each time seclusion or restraint is used for a student, the incident shall be**
102 **monitored by a member of the school district, charter school, or publicly contracted private**
103 **provider personnel, and a report shall be completed by the school district, charter school,**
104 **or publicly contracted private provider that contains, at a minimum, the following:**

105 **a. The date, time of day, location, duration, and description of the incident and**
106 **interventions;**

107 **b. Any event leading to the incident and the reason for using seclusion or restraint;**

108 **c. A description of the methods of seclusion or restraint used;**

109 **d. The nature and extent of any injury to the student;**

- 110 e. The names, roles, and certifications of each employee involved in the use of
111 seclusion or restraint;
- 112 f. The name, role, and signature of the person who prepared the report;
- 113 g. The name of an employee whom the parent or guardian can contact regarding
114 the incident and use of seclusion or restraint;
- 115 h. The name of an employee to contact if the parent or guardian wishes to file a
116 complaint; and
- 117 i. A statement directing parents and legal guardians to a sociological, emotional,
118 or behavioral support organization and a hotline number to report child abuse and neglect.
- 119 (b) The school district, charter school, or publicly contracted private provider shall
120 maintain the report as an education record of the student, provide a copy to the parent or
121 legal guardian within five school days, and a copy of each incident report shall be given to
122 the department of elementary and secondary education within thirty days of the incident;
- 123 (4) The school district, charter school, or publicly contracted private provider shall
124 attempt to notify the parents or legal guardians as soon as possible but no later than one
125 hour after the end of the school day on which the use of seclusion or restraint occurred.
126 Notification shall be oral or electronic and shall include a statement indicating that the
127 school district, charter school, or publicly contracted private provider will provide the
128 parents or legal guardians a copy of the report described in subdivision (3) of this
129 subsection within five school days;
- 130 (5) An officer, administrator, or employee of a public school district or charter
131 school shall not retaliate against any person for having:
- 132 (a) Reported a violation of any policy established under this section or failure of a
133 district or charter school to follow any provisions of this section in relation to incidents of
134 seclusion and restraint; or
- 135 (b) Provided information regarding a violation of this section by a public school
136 district or charter school or a member of the staff of the public school district or charter
137 school.
- 138 6. The department of elementary and secondary education shall compile and
139 maintain all incidents reported under this section in the department's core data system and
140 make such data available on the Missouri comprehensive data system. No personally
141 identifiable data shall be accessible on the database.
- 142 [3-] 7. The department of elementary and secondary education shall, in cooperation with
143 appropriate associations, organizations, agencies and individuals with specialized expertise in
144 behavior management, develop a model policy that satisfies the requirements of subsection 2 of
145 this section as it existed on August 28, 2009, by July 1, 2010, and shall update such model

146 policy to include the requirements of subdivisions (2) and (3) of subsection 4 and subsection
147 5 of this section by July 1, 2022.

2 **160.560. 1. The department of elementary and secondary education shall establish**
3 **the "Show Me Success Diploma Program".**

4 **2. Under the show me success diploma program, the department of elementary and**
5 **secondary education shall develop the "Show Me Success Diploma" as an alternative**
6 **pathway to graduation for high school students that may be earned at any point between**
7 **the end of a student's tenth grade year and the conclusion of the student's twelfth grade**
8 **year.**

9 **3. By July 1, 2022, the department of elementary and secondary education shall**
10 **develop detailed requirements for students to become eligible for the show me success**
11 **diploma that include at least the following:**

12 **(1) Demonstrated skills and knowledge in English, science, and mathematical**
13 **literacy to be successful in college level courses offered by the community colleges in this**
14 **state that count toward a degree or certificate without taking remedial or developmental**
15 **course work; and**

16 **(2) Satisfactory grades on approved examinations in subjects determined to be**
17 **necessary to prepare a student to enter postsecondary education without remedial or**
18 **developmental course work.**

19 **4. School districts and charter schools may offer a course of study designed to meet**
20 **the requirements to obtain a show me success diploma to students entering the ninth grade.**
21 **Students who elect to pursue a show me success diploma shall participate in a course of**
22 **study designed by the school district to meet the requirements established under subsection**
23 **3 of this section. The show me success diploma shall be available to any such student until**
24 **the end of that student's twelfth grade year.**

25 **5. Students who earn a show me success diploma may remain in high school and**
26 **participate in programs of study available through the school district or charter school**
27 **until that student would otherwise have graduated at the end of grade twelve. For**
28 **purposes of calculation and distribution of state aid, the school district or charter school**
29 **of a pupil having earned a show me success diploma who remains enrolled in the school**
30 **district or charter school shall continue to include the pupil in the pupil enrollment of each**
31 **such school district or charter school and shall continue to receive funding for a pupil who**
32 **earns a show me success diploma until that pupil would otherwise have graduated at the**
33 **end of grade twelve. Students who elect to remain in high school under this subsection**
34 **shall be eligible to participate in extracurricular activities, including interscholastic sports,**
through the end of grade twelve.

35 **6. Students who pursue but do not meet the eligibility requirements for a show me**
36 **success diploma at the end of grade ten or eleven shall receive a customized program of**
37 **assistance during the next school year that addresses areas in which the student**
38 **demonstrated deficiencies in the course requirements. Students may choose to return to**
39 **a traditional academic program without completing the show me success diploma.**

40 **7. The department of elementary and secondary education shall provide training,**
41 **guidance, and assistance to teachers and administrators of the schools offering the show**
42 **me success diploma and shall closely monitor the progress of the schools in the**
43 **development of the program.**

44 **8. Pupils who earn a show me success diploma and do not remain enrolled in the**
45 **district or charter school and instead enroll, or show proof that they will enroll, in a**
46 **postsecondary educational institution eligible to participate in a student aid program**
47 **administered by the U.S. Department of Education shall be included in the district's or**
48 **charter school's state aid calculation under section 163.031, until such time that the pupil**
49 **would have completed the pupil's twelfth grade year had the pupil not earned a show me**
50 **success diploma. The funding assigned to a pupil under this subsection shall be calculated**
51 **as if the pupil's attendance percentage equaled the district's or charter school's prior year**
52 **average attendance percentage. For a pupil who, as provided in this subsection, is included**
53 **in the district's or charter school's state aid calculation but who is not enrolled in the**
54 **district or charter school, an amount equal to ninety percent of the pupil's proportionate**
55 **share of the state, local, and federal aid that the district or charter school receives for the**
56 **pupil under this subsection shall be deposited into an account established under sections**
57 **166.400 to 166.455 that lists the pupil as the beneficiary. The state treasurer shall provide**
58 **guidance and assist school districts, charter schools, pupils, and pupil's parents or**
59 **guardians with the creation, maintenance, and use of an account that has been established**
60 **under sections 166.400 to 166.455.**

61 **9. The department of elementary and secondary education shall promulgate all**
62 **necessary rules and regulations for the administration of this section. Any rule or portion**
63 **of a rule, as that term is defined in section 536.010, that is created under the authority**
64 **delegated in this section shall become effective only if it complies with and is subject to all**
65 **of the provisions of chapter 536 and, if applicable, section 536.028. This section and**
66 **chapter 536 are nonseverable, and if any of the powers vested with the general assembly**
67 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
68 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority and**
69 **any rule proposed or adopted after August 28, 2021, shall be invalid and void.**

70 **10. The provisions of this section shall expire on August 28, 2028.**

160.565. 1. This act shall be known and may be cited as the "Extended Learning Opportunities Act".

2. For the purposes of the provisions of this section, the following terms shall mean:

(1) "Extended learning opportunity", an out-of-classroom learning experience, approved by the state board of education, a local school board, or a charter school, that provides a student with:

(a) Enrichment opportunities;

(b) Career readiness or employability skills opportunities, including internships, pre-apprenticeships, and apprenticeships; or

(c) Any other approved educational opportunity;

(2) "Student", any child attending an elementary or secondary public school or charter school in kindergarten through the twelfth grade.

3. Beginning with the 2022-23 school year, the state board of education and each local school board shall routinely inform students and their parents of the ability to earn credit for participating in extended learning opportunities. Employees of the state board of education, public schools, and charter schools may assist students and their parents in completing enrollment processes required for participating in approved extended learning opportunities. No student or parent shall be required to obtain permission from the student's school district or charter school to enroll in an extended learning opportunity, provided that, prior to participating in any extended learning opportunity, the student and at least one parent shall sign an agreement detailing all program requirements in a form developed by the state board of education.

4. An extended learning opportunity shall count as a credit toward graduation requirements and the achievement of applicable state standards for students. To receive credit, a student shall submit a written request for credit and proof of successful completion of the extended learning opportunity to a designated administrator of the school the student attends.

5. The state board of education shall adopt, and each local school district shall distribute and implement, extended learning opportunities policies that provides all of the following:

(1) An application process for accepting and approving extended learning opportunities offered for credit from outside entities;

(2) A list of entities that are eligible to submit applications to offer extended learning opportunities, including:

(a) Nonprofit organizations;

(b) Businesses with established locations;

37 (c) Trade associations; and

38 (d) The Armed Forces of the United States, subject to applicable age requirements;

39 (3) A process for students of their parents to request credit;

40 (4) Criteria school districts and charter schools shall use to determine whether a
41 proposed extended learning opportunity shall be approved;

42 (5) Criteria school districts and charter schools shall use to award a certificate of
43 completion and credit for completing an extended learning opportunity, including allowing
44 a student to demonstrate competencies through performance-based assessments and other
45 methods independent of instructional time and credit hours.

46 6. An entity approved by the state board of education to offer an extended learning
47 opportunity shall be automatically qualified to offer that extended learning opportunity
48 for all school districts and charter schools.

49 7. A student who successfully completes an approved extended learning
50 opportunity and satisfies criteria for the award of a certification of completion and credit
51 pursuant to subdivision (5) of subsection 5 of this section shall be considered to have
52 completed all required course work for the particular course. In an extended learning
53 opportunity that satisfies all required course work for a high school course, the student
54 shall also be considered to have satisfied the equivalent number of credits toward the
55 student's graduation requirements.

56 8. Any policy or procedure adopted by the state board of education, a school board,
57 or a charter school for participating in an extended learning opportunity shall provide
58 every student an equal opportunity to participate and shall satisfy established timelines
59 and requirements for purposes of transcribing credits and state reporting.

60 9. The state board of education may promulgate rules to implement the provisions
61 of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that
62 is created under the authority delegated in this section shall become effective only if it
63 complies with and is subject to all of the provisions of chapter 536 and, if applicable,
64 section 536.028. This section and chapter are nonseverable, and if any of the powers vested
65 with the general assembly pursuant to chapter 536 to review, to delay the effective date, or
66 to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
67 rulemaking authority and any rule proposed or adopted after August 28, 2021, shall be
68 invalid and void.

160.3005. 1. Before July 1, 2022, the local board of education of each school district
2 shall adopt a written policy that requires the administration of each public school building
3 within the district to provide accommodations to lactating employees, teachers, and
4 students to express breast milk, breast-feed a child, or address other needs relating to

5 **breast-feeding. The policy shall include provisions that require the district to provide a**
6 **minimum of three opportunities during a school day, at two-hour intervals, to**
7 **accommodate an employee's, teacher's, or student's need to express breast milk or breast-**
8 **feed a child. The policy shall include provisions that require such accommodations to be**
9 **available to each lactating employee, teacher, or student for at least one year following the**
10 **birth of the employee's, teacher's, or student's child, and that permit such accommodations**
11 **to be available for longer than one year as determined by each local school board.**

12 **2. District policies shall require each school building to contain suitable**
13 **accommodation in the form of a room, other than a restroom, for the exclusive use of**
14 **employees, teachers, or students to express breast milk or breast-feed a child. Such**
15 **accommodation shall be located in close proximity to a sink with running water and a**
16 **refrigerator for breast milk storage and have, at a minimum, the following features:**

17 **(1) Ventilation and a door that may be locked for privacy;**

18 **(2) A work surface and a chair; and**

19 **(3) Conveniently placed electrical outlets.**

20 **3. The department of elementary and secondary education shall develop a model**
21 **policy that satisfies the requirements of subsections 1 and 2 of this section before January**
22 **1, 2022.**

23 **4. The department of elementary and secondary education may promulgate all**
24 **necessary rules and regulations for the administration of this section. Any rule or portion**
25 **of a rule, as that term is defined in section 536.010, that is created under the authority**
26 **delegated in this section shall become effective only if it complies with and is subject to all**
27 **of the provisions of chapter 536 and, if applicable, section 536.028. This section and**
28 **chapter 536 are nonseverable, and if any of the powers vested with the general assembly**
29 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
30 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority and**
31 **any rule proposed or adopted after August 28, 2021, shall be invalid and void.**

161.097. 1. The state board of education shall establish standards and procedures by
2 which it will evaluate all teacher training institutions in this state for the approval of teacher
3 education programs. The state board of education shall not require teacher training institutions
4 to meet national or regional accreditation as a part of its standards and procedures in making
5 those evaluations, but it may accept such accreditations in lieu of such approval if standards and
6 procedures set thereby are at least as stringent as those set by the board. The state board of
7 education's standards and procedures for evaluating teacher training institutions shall equal or
8 exceed those of national or regional accrediting associations.

9 2. There is hereby established within the department of elementary and secondary
10 education the "Missouri Advisory Board for Educator Preparation", hereinafter referred to as
11 "MABEP". The MABEP shall advise the state board of education and the coordinating board
12 for higher education regarding matters of mutual interest in the area of quality educator
13 preparation programs in Missouri.

14 3. Upon approval by the state board of education of the teacher education program at a
15 particular teacher training institution, any person who graduates from that program, and who
16 meets other requirements [~~which~~] **that** the state board of education shall prescribe by rule,
17 regulation, and statute shall be granted a certificate or license to teach in the public schools of
18 this state. However, no such rule or regulation shall require that the program from which the
19 person graduates be accredited by any national or regional accreditation association.

20 4. **The state board of education shall require literacy and reading instruction course**
21 **work for teacher education programs aligned to certification in early childhood education,**
22 **elementary education, middle school education with subject area certification in language**
23 **arts, secondary education with subject area certification in English, special reading, and**
24 **special education to include training in:**

25 **(1) The core components of reading, such as phonemic awareness, phonics, fluency,**
26 **comprehension, morphology, syntax, and vocabulary;**

27 **(2) Oral and written language development;**

28 **(3) Identification of reading deficiencies, dyslexia, and other language difficulties;**
29 **and**

30 **(4) The administration and interpretation of assessments and how to translate**
31 **assessment results into effective practice in the classroom specific to the needs of students.**

32 5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
33 under the authority delegated in this section shall become effective only if it complies with and
34 is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section
35 and chapter 536 are nonseverable, and if any of the powers vested with the general assembly
36 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule
37 are subsequently held unconstitutional, then the grant of rulemaking authority and any rule
38 proposed or adopted after August 28, 2014, shall be invalid and void.

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.**

161.217. 1. The department of elementary and secondary education, in collaboration
2 with the Missouri Head Start State Collaboration Office and the departments of health and senior
3 services, mental health, and social services, shall develop~~[, as a three-year pilot program,]~~ a
4 voluntary early learning quality assurance report. The early learning quality assurance report
5 shall be developed based on evidence-based practices.

6 2. Participation in the early learning quality assurance report ~~[pilot]~~ program shall be
7 voluntary for any licensed or license-exempt early learning providers that are center-based or
8 home-based and are providing services for children from any ages from birth up to kindergarten.

9 3. The early learning quality assurance report may include, but is not limited to,
10 information regarding staff qualifications, instructional quality, professional development, health
11 and safety standards, parent engagement, and community engagement.

12 4. The early learning quality assurance report shall not be used for enforcement of
13 compliance with any law or for any punitive purposes.

14 5. The department of elementary and secondary education shall promulgate all necessary
15 rules and regulations for the administration of this section. Any rule or portion of a rule, as that
16 term is defined in section 536.010, that is created under the authority delegated in this section
17 shall become effective only if it complies with and is subject to all of the provisions of chapter
18 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if
19 any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay
20 the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then
21 the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall
22 be invalid and void.

23 6. Under section 23.253 of the Missouri sunset act:

24 (1) The provisions of the new program authorized under this section shall ~~[automatically~~
25 ~~sunset three years after August 28, 2019, unless reauthorized by an act of the general assembly;~~
26 ~~and~~

27 ~~—— (2) If such program is reauthorized, the program authorized under this section shall~~
28 ~~automatically sunset three years after the effective date of the reauthorization of this section]~~
29 **expire on August 28, 2025; and**

30 ~~[(3)]~~ **(2) This section shall terminate on September first of the calendar year immediately**
31 **following the calendar year in which the program authorized under this section is sunset.**

161.229. 1. The department of elementary and secondary education shall maintain
2 **and publish on its website any data or report sent to the department from any federal**
3 **agency within thirty days of receipt of such data or report in an accessible format.**

4 **2. The department shall maintain and publish on its website in an accessible format**
5 **the full text of all state administrative rules and regulations related to elementary and**
6 **secondary education and shall update such information within thirty days of the**
7 **publication in the Missouri Register of any final order of rulemaking related to such rules**
8 **and regulations.**

9 **3. The information published under subsections 1 and 2 of this section shall be**
10 **made available to the public and shall be accessible and searchable from various devices**
11 **including, but not limited to, computers, tablets, and other electronic communication**
12 **devices.**

13 **4. By December thirty-first in every even-numbered year, the state auditor shall**
14 **review the department's website for compliance with this section.**

161.380. 1. Subject to appropriations, the department of elementary and secondary
2 **education shall establish the "Competency-Based Education Grant Program".**

3 **2. (1) There is hereby created in the state treasury the "Competency-Based**
4 **Education Grant Program Fund". The fund shall consist of any appropriations to such**
5 **fund and any gifts, contributions, grants, or bequests received from private or other**
6 **sources for the purpose of providing competency-based education programs. The state**
7 **treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180,**
8 **the state treasurer may approve disbursements of public moneys in accordance with**
9 **distribution requirements and procedures developed by the department of elementary and**
10 **secondary education. The fund shall be a dedicated fund and, upon appropriation, moneys**
11 **in the fund shall be used solely for the administration of this section.**

12 **(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys**
13 **remaining in the fund at the end of the biennium shall not revert to the credit of the**
14 **general revenue fund.**

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

18 **3. The department of elementary and secondary education shall award grants from**
19 **the competency-based education grant program fund to eligible school districts for the**
20 **purpose of providing competency-based education programs. A school district wishing to**
21 **receive such a grant shall submit an application to the department of elementary and**
22 **secondary education addressing:**

23 **(1) A core mission that competency-based education courses will help achieve;**

24 **(2) A plan that outlines competency-based education courses and key metrics that**
25 **will show success;**

26 **(3) Resources available to the school and in the community that will assist in**
27 **creating successful competency-based outcomes; and**

28 **(4) Resources and support needed to help the school succeed in implementing**
29 **competency-based education courses.**

30 **4. The department of elementary and secondary education shall facilitate the**
31 **creation, sharing, and development of course assessments; curriculum; training and**
32 **guidance for teachers; and best practices for the school districts that offer competency-**
33 **based education courses.**

34 **5. For purposes of this section, the term "competency-based education program"**
35 **means an educational program that:**

36 **(1) Affords students flexibility to progress and earn course credit upon**
37 **demonstration of mastery, including through early high school graduation;**

38 **(2) Provides individual learning and assessment options, including through**
39 **experiential and project-based learning, online or blended learning, additional remedial**
40 **education time, and accelerated-pace curricula;**

41 **(3) Assesses student proficiency based on graduate profiles describing meaningful**
42 **and critical knowledge and skills that students should have upon graduation; or**

43 **(4) Assesses student proficiency through tasks developed both locally and at the**
44 **state level, performance of which demonstrate mastery.**

45 **6. The department of elementary and secondary education shall promulgate all**
46 **necessary rules and regulations for the administration of this section. Any rule or portion**
47 **of a rule, as that term is defined in section 536.010, that is created under the authority**
48 **delegated in this section shall become effective only if it complies with and is subject to all**
49 **of the provisions of chapter 536 and, if applicable, section 536.028. This section and**
50 **chapter 536 are nonseverable, and if any of the powers vested with the general assembly**
51 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
52 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority and**
53 **any rule proposed or adopted after August 28, 2021, shall be invalid and void.**

54 **7. The provisions of this section shall expire on August 28, 2028.**

**161.385. 1. There is hereby established the "Competency-Based Education Task
2 Force" to study and develop competency-based education programs in public schools.
3 Task force members shall be chosen to represent the geographic diversity of the state. All
4 task force members shall be appointed before October 31, 2021. The task force members
5 shall be appointed as follows:**

6 **(1) Two members of the house of representatives appointed by the speaker of the
7 house of representatives;**

8 **(2) Two members of the senate appointed by the president pro tempore of the
9 senate;**

10 **(3) The commissioner of the department of elementary and secondary education
11 or the commissioner's designee; and**

12 **(4) Four members appointed by the governor. Two members shall each represent
13 a separate school district that offers competency-based education courses.**

14 **2. The members of the task force established under subsection 1 of this section shall
15 elect a chair from among the membership of the task force. The task force shall meet as
16 needed to complete its consideration of its objectives as established in subsections 4 and 5
17 of this section. Any vacancy on the task force shall be filled in the same manner as the
18 original appointment. Members of the task force shall serve without compensation, but
19 shall be entitled to reimbursement for actual and necessary expenses incurred in the
20 performance of official duties.**

21 **3. The department of elementary and secondary education shall provide such legal,
22 research, clerical, and technical services as the task force may require in the performance
23 of official duties.**

24 **4. The task force shall:**

25 **(1) Work toward implementing competency-based education courses statewide and
26 devising a plan for Missouri to lead the way in competency-based education courses;**

27 **(2) Solicit input from individuals and organizations with information or expertise
28 relevant to the task force's objective, including experts and educators with experience
29 related to competency-based education programs;**

30 **(3) Hold at least three public hearings to provide an opportunity to receive public
31 testimony including, but not limited to, testimony from educators, local school boards,
32 parents, representatives from business and industry, labor and community leaders,
33 members of the general assembly, and the general public;**

34 **(4) Identify promising competency-based education programs, including programs
35 that:**

36 (a) Afford students flexibility to progress and earn course credit upon
37 demonstration of mastery, including through early high school graduation;

38 (b) Provide individual learning and assessment options, including through
39 experiential and project-based learning, online or blended learning, additional remedial
40 education time, and accelerated-pace curricula;

41 (c) Assess student proficiency through tasks developed both locally and at the state
42 level, performance of which demonstrate mastery;

43 (5) Identify obstacles to implementing competency-based education programs in
44 Missouri public schools;

45 (6) Develop comprehensive graduate profiles that describe meaningful and critical
46 knowledge skills that students should have upon graduation that can be implemented into
47 a diploma designation;

48 (7) Develop findings and recommendations for implementing competency-based
49 education models and practices in Missouri public schools, including recommending
50 changes to existing legislation, rules, and regulations; and

51 (8) Develop findings and recommendations for implementing a competency-based
52 performance assessment that:

53 (a) Is consistent with the most effective competency-based education programs
54 identified by the task force under subdivision (3) of this subsection;

55 (b) Assesses students based on both locally developed and common statewide
56 performance tasks tied to grade and course competencies aligned with state content
57 standards; and

58 (c) Complies with all applicable federal law, including 20 U.S.C. Section
59 6311(b)(1)(B), as amended. To the extent that implementing a competency-based
60 performance assessment would require the department of elementary and secondary
61 education to obtain innovative assessment and accountability demonstration authority
62 under 20 U.S.C. Section 6364, as amended, the task force shall develop findings and
63 recommendations for obtaining such authority.

64 5. The task force shall present its findings and recommendations to the speaker of
65 the house of representatives, the president pro tempore of the senate, the joint committee
66 on education, and the state board of education by December first annually.

67 6. The provisions of this section shall expire on August 28, 2028.

161.625. 1. This section shall be known and may be cited as the "Students' Right
2 to Know Act".

3 2. Beginning on January 1, 2022, to help each high school student make more
4 informed decisions about the student's future and ensure that the student is adequately

5 aware of the cost of four-year college and other alternative career paths, the department
6 of higher education and workforce development shall collect and compile the following
7 information on an annual basis:

8 (1) The most in-demand jobs in the state, including starting salary and education
9 level required for such jobs;

10 (2) The average cost for each public institution of higher education and vocational
11 school in the state;

12 (3) The average monthly student loan payment of all students in attendance at a
13 public institution of higher education or vocational school in the state, for each public
14 institution of higher education or vocational school in the state;

15 (4) The average three-year student loan default rate for each public institution of
16 higher education and vocational school in the state;

17 (5) The average graduation rate for each public institution of higher education and
18 vocational school in the state;

19 (6) The completion rates for apprenticeship programs, high school credential
20 programs, career and technical education programs, and military first-term enlistments;

21 (7) The average starting salary for individuals graduating from each public
22 institution of higher education in the state; and

23 (8) The average starting salary for individuals graduating from each vocational
24 school in the state.

25 3. Each public institution of higher education and vocational school shall report to
26 the department the information listed in subsection 2 of this section that relates to the
27 particular institution. The department shall collect, compile, and add the information on
28 the department's website. On or before October fifteenth of each year, the link and all
29 relevant instruction material shall be distributed to the department of elementary and
30 secondary education for dissemination to public high schools in the state for public
31 distribution to students by school counselors.

32 4. The department may execute a memorandum of understanding with any
33 department, agency, or division for information required to be collected by this section.

34 5. To comply with the requirements of this section, any public institution of higher
35 education, vocational school and the department may use preexisting databases including,
36 but not limited to, the College Scorecard operated by the United States Department of
37 Education and MoJobs.

161.890. 1. There is hereby established the "School Accountability Board". Board
2 members shall be appointed as follows:

- 3 **(1) The commissioner of education shall choose two members from among no more**
4 **than three individuals from each of the following organizations:**
- 5 **(a) The Missouri Association of School Administrators;**
6 **(b) The Missouri chapter of the National Education Association;**
7 **(c) The Missouri chapter of the Missouri State Teachers Association;**
8 **(d) The Missouri School Board Association; and**
9 **(e) The Missouri Charter Public School Association;**
- 10 **(2) The commissioner shall choose one member from among no more than four**
11 **individuals nominated by the Missouri charter public school commission;**
- 12 **(3) The president pro tempore of the senate shall choose four members at large with**
13 **demonstrated expertise in education policy and school improvement, none of whom shall**
14 **be employees of a public school district or the immediate family members of such**
15 **employees within the first degree of consanguinity or affinity, and two of whom shall be**
16 **researchers with expertise on the impact of education and economic development;**
- 17 **(4) The speaker of the house of representatives shall choose:**
- 18 **(a) Two members from business and industry with demonstrated commitment to**
19 **education; and**
- 20 **(b) Two members at large with demonstrated expertise in education policy and**
21 **school improvement, none of whom shall be employees of a public school district or the**
22 **immediate family members of such employees within the first degree of consanguinity or**
23 **affinity.**
- 24 **(5) Members appointed under subdivisions (1) and (2) of this subsection shall serve**
25 **at the pleasure of the commissioner of education. Members appointed under subdivision**
26 **(3) of this subsection shall serve at the pleasure of the president pro tempore of the senate.**
27 **Members appointed under subdivision (4) of this subsection shall serve at the pleasure of**
28 **the the speaker of the house of representatives.**
- 29 **2. The president pro tempore of the senate shall designate the first chair of the**
30 **school accountability board, and the speaker of the house of representatives shall designate**
31 **the first vice chair of the school accountability board. The president pro tempore of the**
32 **senate and the speaker of the house of representatives will alternate the duty for the**
33 **designation of the chair and vice chair every two years after the first designation.**
- 34 **3. Staff members of the department of elementary and secondary education shall**
35 **provide such legal, research, clerical, technical, and bill drafting services as the school**
36 **accountability board may require in the performance of its duties.**

37 **4. The school accountability board shall advise the state board of education and**
38 **department of elementary and secondary education on matters pertaining to the**
39 **development and implementation of the state's school improvement program by:**

40 **(1) Working with department and state board of education staff to develop all rules**
41 **and regulations related to school and district accountability and improvement prior to**
42 **adoption;**

43 **(2) Advising the department and state board of education on policies and practices**
44 **related to school and district accountability and improvement;**

45 **(3) Developing and reviewing the results of an annual, department-administered**
46 **survey of schools and districts receiving technical assistance related to accountability and**
47 **improvement; and**

48 **(4) Presenting findings and recommendations pertaining to school and district**
49 **accountability and improvement to the state board of education.**

50 **5. The school accountability board shall hold its first meeting by January 1, 2022.**
51 **The school accountability board shall meet at least quarterly and report a summary of its**
52 **activities and any recommendations for legislation to the state board of education**
53 **quarterly.**

161.1050. 1. There is hereby established within the department of elementary and
2 secondary education the "Trauma-Informed Schools Initiative".

3 2. The department of elementary and secondary education shall consult the department
4 of mental health and the department of social services for assistance in fulfilling the requirements
5 of this section.

6 3. The department of elementary and secondary education shall:

7 (1) Provide information regarding the trauma-informed approach to all school districts;

8 (2) Offer training on the trauma-informed approach to all school districts, which shall
9 include information on how schools can become trauma-informed schools; and

10 (3) Develop a website about the trauma-informed schools initiative that includes
11 information for schools and parents regarding the trauma-informed approach and a guide for
12 schools on how to become trauma-informed schools.

13 4. Each school district shall provide the address of the website described under
14 subdivision (3) of subsection 3 of this section to all parents of the students in its district before
15 October first of each school year.

16 5. For purposes of this section, the following terms mean:

17 (1) "Trauma-informed approach", an approach that involves understanding and
18 responding to the symptoms of chronic interpersonal trauma and traumatic stress across the
19 lifespan;

20 (2) "Trauma-informed school", a school that:

21 (a) Realizes the widespread impact of trauma and understands potential paths for
22 recovery;

23 (b) Recognizes the signs and symptoms of trauma in students, teachers, and staff;

24 (c) Responds by fully integrating knowledge about trauma into its policies, procedures,
25 and practices; and

26 (d) Seeks to actively resist retraumatization.

27 **6. Each school that chooses to participate in, or utilizes the concepts of, the trauma-**
28 **informed schools initiative shall keep a record of each incident in which a child is removed**
29 **from or present in a classroom during or following another child's outburst and shall**
30 **inform the parents or guardians of any child removed from a classroom as described in this**
31 **subsection within forty-eight hours of the incident by telephone, letter, or email.**

162.441. 1. If any school district desires to be attached to a community college district
2 organized under sections 178.770 to 178.890 or to one or more adjacent seven-director school
3 districts for school purposes, upon the receipt of a petition setting forth such fact, signed either
4 by voters of the district equal in number to ten percent of those voting in the last school election
5 at which school board members were elected or by a majority of the voters of the district,
6 whichever is the lesser, the school board of the district desiring to be so attached shall submit the
7 question to the voters.

8 2. As an alternative to the procedure in subsection 1 of this section, a seven-director
9 district may, by a majority vote of its board of education, propose a plan to the voters of the
10 district to attach the district to one or more adjacent seven-director districts and call an election
11 upon the question of such plan.

12 3. As an alternative to the procedures in subsection 1 or 2 of this section, a community
13 college district organized under sections 178.770 to 178.890 may, by a majority vote of its board
14 of trustees, propose a plan to the voters of the school district to attach the school district to the
15 community college district, levy the tax rate applicable to the community college district at the
16 time of the vote of the board of trustees, and call an election upon the question of such plan. **The**
17 **community college proposing the annexation shall appear at a public meeting of the school**
18 **district to which the annexation is being proposed to present the annexation proposal. The**
19 **school board shall invite the community college to make such presentation at a regularly**
20 **scheduled meeting no more than one hundred and twenty days prior and no less than**
21 **thirty days prior to the election to present the annexation proposal.** The tax rate applicable
22 to the community college district shall not be levied as to the school district until the proposal
23 by the board of trustees of the community college district has been approved by a majority vote
24 of the voters of the school district at the election called for that purpose. **The question shall be**

25 submitted in substantially the following form: "Shall the _____ school district become
 26 part of and be annexed to the _____ community college district effective the _____ day
 27 of _____, _____?". The question shall be followed on the ballot by information about
 28 the effect of the vote in substantially the following form: "If this proposition is approved,
 29 the overall tax levy in the school district will increase by the community college tax levy of
 30 \$_____ per \$100 of assessed valuation and all residents of the school district will be
 31 eligible for reduced community college tuition at the in-district rate.". The community
 32 college district shall be responsible for the costs associated with the election. Any election held
 33 under this subsection shall be held as provided by law on the next available general election
 34 day as established in section 115.121.

35 4. A plat of the proposed changes to all affected districts shall be published and posted
 36 with the notice of election.

37 5. ~~[The question shall be submitted in substantially the following form:~~

38 ~~_____ Shall the _____ school district be annexed to the _____ school districts effective the~~
 39 ~~_____ day of _____, _____?~~

40 ~~_____6.]~~ If a majority of the votes cast in the district proposing annexation favor annexation,
 41 the secretary shall certify the fact, with a copy of the record, to the board of the district and to the
 42 boards of the districts to which annexation is proposed; whereupon the boards of the seven-
 43 director districts to which annexation is proposed shall meet to consider the advisability of
 44 receiving the district or a portion thereof, and if a majority of all the members of each board
 45 favor annexation, the boundary lines of the seven-director school districts from the effective date
 46 shall be changed to include the district, and the board shall immediately notify the secretary of
 47 the district which has been annexed of its action.

48 ~~[7-]~~ 6. Upon the effective date of the annexation, all indebtedness, property and money
 49 on hand belonging thereto shall immediately pass to the seven-director school district. If the
 50 district is annexed to more than one district, the provisions of sections 162.031 and 162.041 shall
 51 apply.

**162.686. 1. No school district or charter school shall prohibit a parent or legal
 2 guardian of a student from recording by audio any meeting held under the federal
 3 Individuals with Disabilities Education Act (IDEA) (20 U.S.C. Section 1400 et seq.), as
 4 amended, or Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Section 794),
 5 as amended.**

**6 2. Any recording made by a parent or legal guardian under this section shall be the
 7 property of the parent or legal guardian creating the recording. No recording made under
 8 this section shall be construed to be a public record made by or prepared for any public
 9 governmental body under chapter 610.**

10 **3. No school district or charter school shall impose pre-meeting notification**
11 **requirements of recording by a parent or legal guardian of more than twenty-four hours.**

12 **4. No school district or charter school employee who reports any violations under**
13 **this section shall be subject to discharge, retaliation, or any other adverse employment**
14 **action for making such report.**

 162.720. 1. **(1) This subdivision shall apply to all school years ending on or before**
2 **June 30, 2023.** Where a sufficient number of children are determined to be gifted and their
3 development requires programs or services beyond the level of those ordinarily provided in
4 regular public school programs, districts may establish special programs for such gifted children.

5 **(2) For all school years beginning on or after July 1, 2023, if three percent or more**
6 **of students enrolled in a school district or charter school are determined to be gifted and**
7 **their development requires programs or services beyond the level of those ordinarily**
8 **provided in regular public school programs, the district or charter school shall establish**
9 **a state-approved gifted program for gifted children.**

10 **2. For all school years beginning on or after July 1, 2023, any teacher providing**
11 **gifted services to students in districts or charter schools with an average daily attendance**
12 **of more than three hundred fifty students shall be certificated in gifted education. In**
13 **districts or charter schools with an average daily attendance of three hundred fifty**
14 **students or fewer, any teacher providing gifted services shall not be required to be**
15 **certificated to teach gifted education but such teacher shall annually participate in at least**
16 **six clock hours of professional development focused on gifted services, which hours shall**
17 **be paid for by the school district.**

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

23 ~~[3-]~~ **4.** No district shall make a determination as to whether a child is gifted based on the
24 child's participation in an advanced placement course or international baccalaureate course.
25 Districts shall determine a child is gifted only if the child meets the definition of gifted children
26 as provided in section 162.675.

27 ~~[4-]~~ **5.** Any district with a gifted education program approved under subsection ~~[2]~~ **3** of
28 this section shall have a policy, approved by the board of education of the district, that
29 establishes a process that outlines the procedures and conditions under which parents or
30 guardians may request a review of the decision that determined that their child did not qualify
31 to receive services through the district's gifted education program.

32 [5-] 6. School districts and school district employees shall be immune from liability for
33 any and all acts or omissions relating to the decision that a child did not qualify to receive
34 services through the district's gifted education program.

35 7. **The department of elementary and secondary education may promulgate rules**
36 **to implement the provisions of this section and may develop a process to certify teachers**
37 **in gifted education. Any rule or portion of a rule, as that term is defined in section 536.010,**
38 **that is created under the authority delegated in this section shall become effective only if**
39 **it complies with and is subject to all of the provisions of chapter 536 and, if applicable,**
40 **section 536.028. This section and chapter 536 are nonseverable, and if any of the powers**
41 **vested with the general assembly pursuant to chapter 536 to review, to delay the effective**
42 **date, or to disapprove and annul a rule are subsequently held unconstitutional, then the**
43 **grant of rulemaking authority and any rule proposed or adopted after August 28, 2021,**
44 **shall be invalid and void.**

 162.974. 1. The state department of elementary and secondary education shall reimburse
2 school districts, including special school districts, for the **special** educational costs of high-need
3 children with an individualized education program exceeding three times the current expenditure
4 per average daily attendance as calculated on the district annual secretary of the board report for
5 the year in which expenditures are claimed. **For any school district with an average daily**
6 **attendance of five hundred students or fewer, the calculation of three times the current**
7 **expenditure per average daily attendance shall not include any money reimbursed to a**
8 **school district under this section.**

9 2. A school district shall submit, through timely application, as determined by the state
10 department of elementary and secondary education, the cost of serving any **high-needs** student
11 **with an individualized education program**, as provided in subsection 1 of this section.

 162.1250. 1. School districts shall receive state school funding under sections 163.031,
2 163.043, and 163.087 for resident students who are enrolled in the school district and who are
3 taking a virtual course or full-time virtual program offered by the school district. The school
4 district may offer instruction in a virtual setting using technology, intranet, and internet methods
5 of communications that could take place outside of the regular school district facility. The
6 school district may develop a virtual program for any grade level, kindergarten through twelfth
7 grade, with the courses available in accordance with district policy to any resident student of the
8 district who is enrolled in the school district. Nothing in this section shall preclude a private,
9 parochial, or home school student residing within a school district offering virtual courses or
10 virtual programs from enrolling in the school district in accordance with the combined
11 enrollment provisions of section 167.031 for the purposes of participating in the virtual courses
12 or virtual programs.

13 2. Charter schools shall receive state school funding under section 160.415 for students
14 enrolled in the charter school who are completing a virtual course or full-time virtual program
15 offered by the charter school. Charter schools may offer instruction in a virtual setting using
16 technology, intranet, and internet methods of communications. The charter school may develop
17 a virtual program for any grade level, kindergarten through twelfth grade, with the courses
18 available in accordance with school policy and the charter school's charter to any student enrolled
19 in the charter school.

20 3. For purposes of calculation and distribution of state school funding, attendance of a
21 student enrolled in a district or charter school virtual class shall equal, upon course completion,
22 ~~[ninety-four]~~ **ninety-five** percent of the hours of attendance possible for such class delivered in
23 the nonvirtual program in the student's resident district or charter school. Course completion
24 shall be calculated in two increments, fifty percent completion and one hundred percent
25 completion, based on the student's completion of defined assignments and assessments, with
26 distribution of state funding to a school district or charter school at each increment equal to forty-
27 seven **and one-half** percent of hours of attendance possible for such course delivered in the
28 nonvirtual program in a student's school district of residence or charter school.

29 4. When courses are purchased from an outside vendor, the district or charter school
30 shall ensure that they are aligned with the show-me curriculum standards and comply with state
31 requirements for teacher certification. The state board of education reserves the right to request
32 information and materials sufficient to evaluate the online course. Online classes should be
33 considered like any other class offered by the school district or charter school.

34 5. Any school district or charter school that offers instruction in a virtual setting,
35 develops a virtual course or courses, or develops a virtual program of instruction shall ensure that
36 the following standards are satisfied:

37 (1) The virtual course or virtual program utilizes appropriate content-specific tools and
38 software;

39 (2) Orientation training is available for teachers, instructors, and students as needed;

40 (3) Privacy policies are stated and made available to teachers, instructors, and students;

41 (4) Academic integrity and internet etiquette expectations regarding lesson activities,
42 discussions, electronic communications, and plagiarism are stated to teachers, instructors, and
43 students prior to the beginning of the virtual course or virtual program;

44 (5) Computer system requirements, including hardware, web browser, and software, are
45 specified to participants;

46 (6) The virtual course or virtual program architecture, software, and hardware permit the
47 online teacher or instructor to add content, activities, and assessments to extend learning
48 opportunities;

49 (7) The virtual course or virtual program makes resources available by alternative means,
50 including but not limited to, video and podcasts;

51 (8) Resources and notes are available for teachers and instructors in addition to
52 assessment and assignment answers and explanations;

53 (9) Technical support and course management are available to the virtual course or
54 virtual program teacher and school coordinator;

55 (10) The virtual course or virtual program includes assignments, projects, and
56 assessments that are aligned with students' different visual, auditory, and hands-on learning
57 styles;

58 (11) The virtual course or virtual program demonstrates the ability to effectively use and
59 incorporate subject-specific and developmentally appropriate software in an online learning
60 module; and

61 (12) The virtual course or virtual program arranges media and content to help transfer
62 knowledge most effectively in the online environment.

63 6. Any special school district shall count any student's completion of a virtual course or
64 program in the same manner as the district counts completion of any other course or program for
65 credit.

66 7. A school district or charter school may contract with multiple providers of virtual
67 courses or virtual programs, provided they meet the criteria for virtual courses or virtual
68 programs under this section.

162.1255. 1. As used in this section, the following terms mean:

2 (1) "Competency-based credit", credit awarded by school districts and charter
3 schools to high school students upon demonstration of competency as determined by a
4 school district. Such credit shall be awarded upon receipt of "proficient" or "advanced"
5 on an end-of-course assessment;

6 (2) "Prior year average attendance percentage", the quotient of the district's or
7 charter school's prior year average daily attendance divided by the district's or charter
8 school's prior year average yearly enrollment.

9 2. School districts and charter schools shall receive state school funding under
10 sections 163.031, 163.043, 163.044, and 163.087 for resident pupils enrolled in the school
11 district or charter school and taking competency-based courses offered by the school
12 district.

13 3. For purposes of calculation and distribution of state aid under section 163.031,
14 attendance of a student enrolled in a district's or charter school's competency-based
15 courses shall equal, upon course completion, the product of the district's or charter school's

16 **prior year average attendance percentage multiplied by the total number of attendance**
17 **hours normally allocable to a noncompetency-based course of equal credit value.**

18 **4. The provisions of this section shall expire on August 28, 2028.**

163.018. 1. (1) (a) Notwithstanding the definition of average daily attendance in
2 subdivision (2) of section 163.011 to the contrary, pupils between the ages of three and five who
3 are eligible for free and reduced price lunch and attend an early childhood education program
4 **shall be included in the district's or charter school's calculation of average daily attendance**
5 **if the program is:**

6 ~~[(a) That is]~~ a. Operated by and in a district or by a charter school that has declared itself
7 as a local educational agency providing full-day kindergarten and that meets standards
8 established by the state board of education; or

9 ~~[(b) That is]~~ b. Under contract with a district or charter school that has declared itself
10 as a local educational agency and that meets standards established by the state board of
11 education];
12 ~~shall be included in the district's or charter school's calculation of average daily attendance].~~

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

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

22 (3) **Notwithstanding the definition of average daily attendance in subdivision (2)**
23 **of section 163.011 to the contrary, beginning with the 2021-22 school year, the attendance**
24 **included in the average daily attendance of a district or charter school shall include the**
25 **attendance hours of pupils who attend a half-day early childhood education program of**
26 **the district or charter school in the current year. This subdivision shall apply only to a**
27 **district or charter school that did not offer an early childhood education program during**
28 **the 2020-21 school year.**

29 2. (1) In establishing standards for any early childhood education program that is under
30 contract with a district or charter school that has declared itself as a local educational agency, the
31 state board of education shall consider:

32 ~~[(1)]~~ (a) Whether a program offers full-day and full-year programming;

33 [(2)] (b) Whether a program has teacher-to-child ratios consistent with reasonable
34 standards set by early childhood education program accrediting agencies;

35 [(3)] (c) Whether a program offers professional development supports for educators and
36 the type of supports offered;

37 [(4)] (d) Whether a program uses appropriately credentialed educators;

38 [(5)] (e) Whether a program uses an early childhood education curriculum that has been
39 approved by the department of elementary and secondary education and whether the curriculum
40 is developmentally appropriate; and

41 [(6)] (f) Any other factor that the state board of education determines to be significant
42 in ensuring that children achieve high levels of kindergarten readiness.

43 (2) The state board of education shall require that staff members of any early childhood
44 education program that is under contract with a district or charter school that has declared itself
45 as a local educational agency undergo background checks as described in section 168.133.

46 3. This section shall not require school attendance beyond that mandated under section
47 167.031 and shall not change or amend the provisions of sections 160.051, 160.053, 160.054,
48 and 160.055 relating to kindergarten attendance.

166.400. Sections 166.400 to ~~[166.455]~~ **166.456** shall be known and may be cited as the
2 "Missouri Education ~~[Savings]~~ Program".

166.410. ~~[Definitions.]~~ As used in sections 166.400 to ~~[166.455]~~ **166.456**, except where
2 the context clearly requires another interpretation, the following terms mean:

3 (1) "Beneficiary", any individual designated by a participation agreement to benefit from
4 payments for qualified education expenses at an eligible educational institution;

5 (2) "Benefits", the payment of qualified education expenses on behalf of a beneficiary
6 from a savings account during the beneficiary's attendance at an eligible educational institution;

7 (3) "Board", the Missouri education ~~[savings]~~ program board established in section
8 166.415;

9 (4) "Eligible educational institution", an ~~[institution of postsecondary education]~~ **eligible**
10 **educational institution** as defined in Section ~~[529(e)(5)]~~ **529** of the Internal Revenue Code, ~~[and~~
11 ~~institutions of elementary and secondary education as provided in Sections 529(c)(7) and~~
12 ~~529(e)(3) of the Internal Revenue Code,]~~ as amended;

13 (5) "Financial institution", a bank, insurance company or registered investment company;

14 (6) "Internal Revenue Code", the Internal Revenue Code of 1986, as amended;

15 (7) "Missouri education ~~[savings]~~ program" or "~~[savings]~~ program", the program created
16 pursuant to sections 166.400 to ~~[166.455]~~ **166.456**;

17 (8) "Participant", a person who has entered into a participation agreement pursuant to
18 sections 166.400 to ~~[166.455]~~ **166.456** for the advance payment of qualified education expenses
19 on behalf of a beneficiary;

20 (9) "Participation agreement", an agreement between a participant and the board pursuant
21 to and conforming with the requirements of sections 166.400 to ~~[166.455]~~ **166.456**; and

22 (10) "Qualified higher education expenses" or "qualified education expenses", the
23 qualified costs of tuition and fees and other expenses for attendance at an eligible educational
24 institution, as defined in Section ~~[529(e)(3)]~~ **529** of the Internal Revenue Code, as amended.

166.415. 1. There is hereby created the "Missouri Education ~~[Savings]~~ Program". The
2 program shall be administered by the Missouri education ~~[savings]~~ program board which shall
3 consist of the Missouri state treasurer who shall serve as chairman, the commissioner of the
4 department of higher education and workforce development, the commissioner of education, the
5 commissioner of the office of administration, the director of the department of economic
6 development, two persons having demonstrable experience and knowledge in the areas of
7 finance or the investment and management of public funds, one of whom is selected by the
8 president pro tem of the senate and one of whom is selected by the speaker of the house of
9 representatives, and one person having demonstrable experience and knowledge in the area of
10 banking or deposit rate determination and placement of depository certificates of deposit or other
11 deposit investments. Such member shall be appointed by the governor with the advice and
12 consent of the senate. The three appointed members shall be appointed to serve for terms of four
13 years from the date of appointment, or until their successors shall have been appointed and shall
14 have qualified. The members of the board shall be subject to the conflict of interest provisions
15 of section 105.452. Any member who violates the conflict of interest provisions shall be
16 removed from the board. In order to establish and administer the ~~[savings]~~ program, the board,
17 in addition to its other powers and authority, shall have the power and authority to:

18 (1) Develop and implement the Missouri education ~~[savings]~~ program and,
19 notwithstanding any provision of sections 166.400 to ~~[166.455]~~ **166.456** to the contrary, the
20 ~~[savings]~~ programs and services consistent with the purposes and objectives of sections 166.400
21 to ~~[166.455]~~ **166.456**;

22 (2) Promulgate reasonable rules and regulations and establish policies and procedures
23 to implement sections 166.400 to ~~[166.455]~~ **166.456**, to permit the ~~[savings]~~ program to qualify
24 as a "qualified state tuition program" pursuant to Section 529 of the Internal Revenue Code and
25 to ensure the ~~[savings]~~ program's compliance with all applicable laws;

26 (3) Develop and implement educational programs and related informational materials
27 for participants, either directly or through a contractual arrangement with a financial institution

28 for investment services, and their families, including special programs and materials to inform
29 families with young children regarding methods for financing education and training;

30 (4) Enter into agreements with any financial institution, the state or any federal or other
31 agency or entity as required for the operation of the [savings] program pursuant to sections
32 166.400 to [~~166.455~~] **166.456**;

33 (5) Enter into participation agreements with participants;

34 (6) Accept any grants, gifts, legislative appropriations, and other moneys from the state,
35 any unit of federal, state, or local government or any other person, firm, partnership, or
36 corporation for deposit to the account of the [savings] program;

37 (7) Invest the funds received from participants in appropriate investment instruments to
38 achieve long-term total return through a combination of capital appreciation and current income;

39 (8) Make appropriate payments and distributions on behalf of beneficiaries pursuant to
40 participation agreements;

41 (9) Make refunds to participants upon the termination of participation agreements
42 pursuant to the provisions, limitations, and restrictions set forth in sections 166.400 to [~~166.455~~]
43 **166.456** and the rules adopted by the board;

44 (10) Make provision for the payment of costs of administration and operation of the
45 [savings] program;

46 (11) Effectuate and carry out all the powers granted by sections 166.400 to [~~166.455~~]
47 **166.456**, and have all other powers necessary to carry out and effectuate the purposes, objectives
48 and provisions of sections 166.400 to [~~166.455~~] **166.456** pertaining to the [savings] program; and

49 (12) Procure insurance, guarantees or other protections against any loss in connection
50 with the assets or activities of the [savings] program.

51 2. Any member of the board may designate a proxy for that member who will enjoy the
52 full voting privileges of that member for the one meeting so specified by that member. No more
53 than three proxies shall be considered members of the board for the purpose of establishing a
54 quorum.

55 3. Four members of the board shall constitute a quorum. No vacancy in the membership
56 of the board shall impair the right of a quorum to exercise all the rights and perform all the duties
57 of the board. No action shall be taken by the board except upon the affirmative vote of a
58 majority of the members present.

59 4. The board shall meet within the state of Missouri at the time set at a previously
60 scheduled meeting or by the request of any four members of the board. Notice of the meeting
61 shall be delivered to all other trustees in person or by depositing notice in a United States post
62 office in a properly stamped and addressed envelope not less than six days prior to the date fixed

63 for the meeting. The board may meet at any time by unanimous mutual consent. There shall be
64 at least one meeting in each quarter.

65 5. The funds shall be invested only in those investments which a prudent person acting
66 in a like capacity and familiar with these matters would use in the conduct of an enterprise of a
67 like character and with like aims, as provided in section 105.688. For new contracts entered into
68 after August 28, 2012, board members shall study investment plans of other states and contract
69 with or negotiate to provide benefit options the same as or similar to other states' qualified plans
70 for the purpose of offering additional options for members of the plan. The board may delegate
71 to duly appointed investment counselors authority to act in place of the board in the investment
72 and reinvestment of all or part of the moneys and may also delegate to such counselors the
73 authority to act in place of the board in the holding, purchasing, selling, assigning, transferring
74 or disposing of any or all of the securities and investments in which such moneys shall have been
75 invested, as well as the proceeds of such investments and such moneys. Such investment
76 counselors shall be registered as investment advisors with the United States Securities and
77 Exchange Commission. In exercising or delegating its investment powers and authority,
78 members of the board shall exercise ordinary business care and prudence under the facts and
79 circumstances prevailing at the time of the action or decision. No member of the board shall be
80 liable for any action taken or omitted with respect to the exercise of, or delegation of, these
81 powers and authority if such member shall have discharged the duties of ~~[his or her]~~ **the**
82 **member's** position in good faith and with that degree of diligence, care and skill which a prudent
83 person acting in a like capacity and familiar with these matters would use in the conduct of an
84 enterprise of a like character and with like aims.

85 6. No investment transaction authorized by the board shall be handled by any company
86 or firm in which a member of the board has a substantial interest, nor shall any member of the
87 board profit directly or indirectly from any such investment.

88 7. No trustee or employee of the ~~[savings]~~ program shall receive any gain or profit from
89 any funds or transaction of the ~~[savings]~~ program. Any trustee, employee or agent of the
90 ~~[savings]~~ program accepting any gratuity or compensation for the purpose of influencing such
91 trustee's, employee's or agent's action with respect to the investment or management of the funds
92 of the ~~[savings]~~ program shall thereby forfeit the office and in addition thereto be subject to the
93 penalties prescribed for bribery.

94 **8. The state treasurer may delegate any duties assigned to the state treasurer under**
95 **sections 135.712 to 135.719 and 166.700 to 166.720 to the Missouri education program**
96 **board established under this section.**

166.420. 1. The board may enter into [savings] program participation agreements with participants on behalf of beneficiaries pursuant to the provisions of sections 166.400 to ~~166.455~~ **166.456**, including the following terms and conditions:

(1) A participation agreement shall stipulate the terms and conditions of the [savings] program in which the participant makes contributions;

(2) A participation agreement shall specify the method for calculating the return on the contribution made by the participant;

(3) The execution of a participation agreement by the board shall not guarantee that the beneficiary named in any participation agreement will be admitted to an eligible educational institution, be allowed to continue to attend an eligible educational institution after having been admitted or will graduate from an eligible educational institution;

(4) A participation agreement shall clearly and prominently disclose to participants the risk associated with depositing moneys with the board;

(5) Participation agreements shall be organized and presented in a way and with language that is easily understandable by the general public; and

(6) A participation agreement shall clearly and prominently disclose to participants the existence of any load charge or similar charge assessed against the accounts of the participants for administration or services.

2. The board shall establish the maximum amount ~~[which]~~ **that** may be contributed annually ~~[by a participant]~~ with respect to a beneficiary.

3. The board shall establish a total contribution limit for savings accounts established under the [savings] program with respect to a beneficiary to permit the [savings] program to qualify as a "qualified state tuition program" pursuant to Section 529 of the Internal Revenue Code. No contribution may be made to a savings account for a beneficiary if it would cause the balance of all savings accounts of the beneficiary to exceed the total contribution limit established by the board. The board may establish other requirements that it deems appropriate to provide adequate safeguards to prevent contributions on behalf of a beneficiary from exceeding what is necessary to provide for the qualified education expenses of the beneficiary.

4. The board shall establish the minimum length of time that contributions and earnings must be held by the [savings] program to qualify pursuant to section 166.435. Any contributions or earnings that are withdrawn or distributed from a savings account prior to the expiration of the minimum length of time, as established by the board, shall be subject to a penalty pursuant to section 166.430.

166.425. All money paid by a participant in connection with participation agreements shall be deposited as received and shall be promptly invested by the board. Contributions and earnings thereon accumulated on behalf of participants in the [savings] program may be used,

4 as provided in the participation agreement, for qualified education expenses. Such contributions
5 and earnings shall not be considered income for purposes of determining a participant's eligibility
6 for financial assistance under any state student aid program.

166.435. 1. Notwithstanding any law to the contrary, the assets of the [savings] program
2 held by the board, the assets of any deposit program authorized in section 166.500, and the assets
3 of any qualified tuition [savings] program established pursuant to Section 529 of the Internal
4 Revenue Code and any income therefrom shall be exempt from all taxation by the state or any
5 of its political subdivisions. Income earned or received from the [savings] program, deposit, or
6 other qualified tuition [savings] programs established under Section 529 of the Internal Revenue
7 Code, or refunds of qualified education expenses received by a beneficiary from an eligible
8 educational institution in connection with withdrawal from enrollment at such institution which
9 are contributed within sixty days of withdrawal to a qualified tuition [savings] program of which
10 such individual is a beneficiary shall not be subject to state income tax imposed pursuant to
11 chapter 143 and shall be eligible for any benefits provided in accordance with Section 529 of the
12 Internal Revenue Code. The exemption from taxation pursuant to this section shall apply only
13 to assets and income maintained, accrued, or expended pursuant to the requirements of the
14 [savings] program established pursuant to sections 166.400 to ~~166.455~~ **166.456**, the deposit
15 program established pursuant to sections 166.500 to 166.529, and other qualified tuition
16 [savings] programs established under Section 529 of the Internal Revenue Code, and no
17 exemption shall apply to assets and income expended for any other purposes. Annual
18 contributions made to the [savings] program held by the board, the deposit program, and any
19 qualified tuition [savings] program established under Section 529 of the Internal Revenue Code
20 up to and including eight thousand dollars per [participating] taxpayer, and up to sixteen
21 thousand dollars for married individuals filing a joint tax return, shall be subtracted in
22 determining Missouri adjusted gross income pursuant to section 143.121.

23 2. If any deductible contributions to or earnings from any such program referred to in this
24 section are distributed and not used to pay qualified education expenses, not transferred as
25 allowed by 26 U.S.C. Section 529(c)(3)(C)(i), as amended, and any Internal Revenue Service
26 regulations or guidance issued in relation thereto, or are not held for the minimum length of time
27 established by the appropriate Missouri board, then the amount so distributed shall be included
28 in the Missouri adjusted gross income of the participant, or, if the participant is not living, the
29 beneficiary.

30 3. The provisions of this section shall apply to tax years beginning on or after January
31 1, 2008, and the provisions of this section with regard to sections 166.500 to 166.529 shall apply
32 to tax years beginning on or after January 1, 2004.

166.440. The assets of the [savings] program shall at all times be preserved, invested and
2 expended only for the purposes set forth in this section and in accordance with the participation
3 agreements, and no property rights therein shall exist in favor of the state.

166.456. All personally identifiable information concerning participants and
2 beneficiaries of accounts established within the Missouri education [savings] program pursuant
3 to sections 166.400 to 166.456 shall be confidential, and any disclosure of such information shall
4 be restricted to purposes directly connected with the administration of the program.

166.502. As used in sections 166.500 to 166.529, except where the context clearly
2 requires another interpretation, the following terms mean:

- 3 (1) "Beneficiary", any individual designated by a participation agreement to benefit from
4 payments for qualified higher education expenses at an eligible educational institution;
- 5 (2) "Benefits", the payment of qualified higher education expenses on behalf of a
6 beneficiary from a deposit account during the beneficiary's attendance at an eligible educational
7 institution;
- 8 (3) "Board", the Missouri education [savings] program board established in section
9 166.415;
- 10 (4) "Eligible educational institution", an institution of postsecondary education as
11 defined in Section 529(e)(5) of the Internal Revenue Code;
- 12 (5) "Financial institution", a depository institution and any intermediary that brokers
13 certificates of deposits;
- 14 (6) "Internal Revenue Code", the Internal Revenue Code of 1986, as amended;
- 15 (7) "Missouri higher education deposit program" or "deposit program", the program
16 created pursuant to sections 166.500 to 166.529;
- 17 (8) "Participant", a person who has entered into a participation agreement pursuant to
18 sections 166.500 to 166.529 for the advance payment of qualified higher education expenses on
19 behalf of a beneficiary;
- 20 (9) "Participation agreement", an agreement between a participant and the board pursuant
21 to and conforming with the requirements of sections 166.500 to 166.529;
- 22 (10) "Qualified higher education expenses", the qualified costs of tuition and fees and
23 other expenses for attendance at an eligible educational institution, as defined in Section
24 529(e)(3) of the Internal Revenue Code of 1986, as amended.

167.263. 1. A program to provide teacher assistants in regular classrooms in grades
2 kindergarten through three is established. For the purposes of this section a "teacher assistant"
3 is defined as a qualified person employed by a school district to assist a certificated teacher in
4 classroom instruction and management. No teacher assistant shall be counted as a teacher for
5 the purposes of establishing ratios of teachers to pupils in a classroom, school, or school district.

6 Any public elementary school containing such grades [~~which~~] **that** meets the criteria pursuant
7 to this section shall be eligible for a state financial supplement to employ teacher assistants.
8 Eligibility criteria are that the school shall have a breakfast program, the school shall serve at
9 least forty percent of its lunches to pupils who are eligible for free or reduced price meals
10 according to federal guidelines, and the school shall have a reading [~~intervention~~] **success** plan
11 **for any student who requires such a plan** pursuant to section 167.268.

12 2. A school district [~~which~~] **that** contains such eligible schools may apply to the
13 department of elementary and secondary education for a state financial supplement to employ
14 teacher assistants in those schools named in the application and in no other schools of the
15 district. The state full-time equivalent financial supplement shall be three thousand dollars per
16 teacher assistant. No more than one assistant per classroom shall be supplemented by the state
17 pursuant to this section. Teacher assistants thus employed pursuant to this section shall assist
18 teachers in grades kindergarten through three and in no other grades. School districts shall not
19 apply for or assign teacher assistants employed pursuant to this section in classrooms designated
20 as special education or compensatory education classrooms.

21 3. The state board of education shall promulgate rules and regulations for the
22 implementation of this section. Such rules shall include identifying minimum qualifications for
23 teacher assistants which may include teacher education students, determining the minimum
24 number of pupils per classroom to be eligible for a teacher assistant, establishing application
25 procedures for school districts, and determining a method of awarding state financial
26 supplements in the event that the number of applications exceeds the amounts appropriated
27 therefor. No rule or portion of a rule promulgated under the authority of this chapter shall
28 become effective unless it has been promulgated pursuant to the provisions of section 536.024.

167.268. 1. **The state board of education, in collaboration with the coordinating
2 board for higher education and the literacy advisory council established under section
3 186.080, shall develop a plan to establish a comprehensive system of services for reading
4 instruction.**

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

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

16 ~~[2-]~~ **3.** The ~~[state board of]~~ **department of elementary and secondary** education shall
17 develop guidelines to assist **school districts and charter schools** in formulating policies for
18 reading ~~[intervention]~~ **success plans.** Such guidelines may include, but are not limited to,
19 **measures of reading proficiency, strategies for addressing reading deficiencies and**
20 **disorders,** timelines for measuring pupil improvement in reading, **and** information on screening
21 for and treatment of ~~[auditory dyslexia, and information on the Lindamood Auditory~~
22 ~~Conceptualization Test and the Auditory Discrimination in Depth Program]~~ **dyslexia and other**
23 **reading deficiencies. In addition, any guidelines for instruction shall meet the needs of the**
24 **students by ensuring that instruction is explicit, systematic, and diagnostic and based on**
25 **phonological awareness, phonics, fluency, vocabulary, comprehension, morphology,**
26 **syntax, and semantics.** Such guidelines may also identify performance levels for pupils
27 identified as handicapped or severely handicapped and conditions under which such pupils ~~[are]~~
28 **may be** exempt from the provisions of this section.

29 ~~[3-]~~ **4.** Each local school district ~~[enrolling a pupil identified as reading below grade level~~
30 ~~shall develop an individual plan of reading intervention for such pupil. The individual pupil's~~
31 ~~plan may include individual or group reading development activities. The plan may be~~
32 ~~developed after consultation with the pupil's parent or legal guardian]~~ **and charter school shall**
33 **provide supplemental reading instruction under a reading success plan created under**
34 **section 167.645 to any enrolled student who exhibits a reading deficiency.**

35 **5.** Professional development and training on reading instruction and reading
36 interventions required by reading success plans created under section 167.645 shall be
37 provided to teachers without cost to the teacher and shall apply toward satisfying any
38 professional development requirements established under state law pertaining to teacher
39 certification and to any district or school-level professional development requirements.

167.625. 1. This section shall be known and may be cited as "Will's Law".

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

3 **(1)** "Individualized emergency health care plan", a document developed by a school
4 nurse, in consultation with a student's parent and other appropriate medical professionals,
5 that is consistent with the recommendations of the student's health care providers, that
6 describes procedural guidelines that provide specific directions about what to do in a
7 particular emergency situation, and that is signed by the parent and the school nurse or
8 the school administrator or the administrator's designee in the absence of the school nurse;

9 **(2)** "Individualized health care plan", a document developed by a school nurse, in
10 consultation with a student's parent and other appropriate medical professionals who may

11 be providing epilepsy or seizure disorder care to the student, that is consistent with the
12 recommendations of the student's health care providers, that describes the health services
13 needed by the student at school, and that is signed by the parent and the school nurse or
14 the school administrator or the administrator's designee in the absence of the school nurse;

15 (3) "Parent", a parent, guardian, or other person having charge, control, or
16 custody of a student;

17 (4) "School", any public elementary or secondary school or charter school;

18 (5) "School employee", a person employed by a school;

19 (6) "Student", a student who has epilepsy or a seizure disorder and who attends
20 a school.

21 3. (1) The parent of a student who seeks epilepsy or seizure disorder care while at
22 school shall inform the school nurse or the school administrator or the administrator's
23 designee in the absence of the school nurse. The school nurse shall develop an
24 individualized health care plan and an individualized emergency health care plan for the
25 student. The parent of the student shall annually provide to the school written
26 authorization for the provision of epilepsy or seizure disorder care as described in the
27 individualized plans.

28 (2) The individualized plans developed under subdivision (1) of this subsection shall
29 be updated by the school nurse before the beginning of each school year and as necessary
30 if there is a change in the health status of the student.

31 (3) Each individualized health care plan shall, and each individualized emergency
32 health care plan may, include but not be limited to the following information:

33 (a) A notice about the student's condition for all school employees who interact with
34 the student;

35 (b) Written orders from the student's physician or advanced practice nurse
36 describing the epilepsy or seizure disorder care;

37 (c) The symptoms of the epilepsy or seizure disorder for that particular student and
38 recommended care;

39 (d) Whether the student may fully participate in exercise and sports, and any
40 contraindications to exercise or accommodations that shall be made for that particular
41 student;

42 (e) Accommodations for school trips, after-school activities, class parties, and other
43 school-related activities;

44 (f) Information for such school employees about how to recognize and provide care
45 for epilepsy and seizure disorders, epilepsy and seizure disorder first aid training, when
46 to call for assistance, emergency contact information, and parent contact information;

47 **(g) Medical and treatment issues that may affect the educational process of the**
48 **student;**

49 **(h) The student's ability to manage, and the student's level of understanding of, the**
50 **student's epilepsy or seizure disorder; and**

51 **(i) How to maintain communication with the student, the student's parent and**
52 **health care team, the school nurse or the school administrator or the administrator's**
53 **designee in the absence of the school nurse, and the school employees.**

54 **4. (1) The school nurse assigned to a particular school or the school administrator**
55 **or the administrator's designee in the absence of the school nurse shall coordinate the**
56 **provision of epilepsy and seizure disorder care at that school and ensure that all school**
57 **employees are trained every two years in the care of students with epilepsy and seizure**
58 **disorders including, but not limited to, school employees working with school-sponsored**
59 **programs outside of the regular school day, as provided in the student's individualized**
60 **plans.**

61 **(2) The training required under subdivision (1) of this subsection shall include an**
62 **online or in-person course of instruction approved by the department of health and senior**
63 **services that is provided by a reputable, local, Missouri-based health care or nonprofit**
64 **organization that supports the welfare of individuals with epilepsy and seizure disorders.**

65 **5. The school nurse or the school administrator or the administrator's designee in**
66 **the absence of the school nurse shall obtain a release from a student's parent to authorize**
67 **the sharing of medical information between the student's physician or advanced practice**
68 **nurse and other health care providers. The release shall also authorize the school nurse**
69 **or the school administrator or the administrator's designee in the absence of the school**
70 **nurse to share medical information with other school employees in the school district as**
71 **necessary. No sharing of information under this subsection shall be construed to be a**
72 **violation of the federal Health Insurance Portability and Accountability Act of 1996**
73 **(HIPAA) (Pub. L. 104-191), as amended, if a student's parent has provided a release under**
74 **this subsection.**

75 **6. No school employee including, but not limited to, a school nurse, a school bus**
76 **driver, a school bus aide, or any other officer or agent of a school shall be held liable for**
77 **any good faith act or omission consistent with the provisions of this section, nor shall an**
78 **action before the state board of nursing lie against a school nurse for any such action taken**
79 **by a school employee trained in good faith by the school nurse under this section. "Good**
80 **faith" shall not be construed to include willful misconduct, gross negligence, or**
81 **recklessness.**

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

2 (1) **"Dyslexia", the same meaning given to the term in section 633.420;**

3 (2) **"Evidence-based reading instruction", scientific, research-based interventions**
4 **that have been peer reviewed with substantial evidence of their effectiveness through**
5 **multiple outcome evaluation;**

6 (3) "Reading assessment", a recognized method of judging a student's reading ability,
7 with results expressed as reading at a particular grade level. The term reading assessment shall
8 include, but is not limited to, standard checklists designed for use as a student reads out loud,
9 paper-and-pencil tests **or tests electronically provided via computer or other electronic**
10 **means and** promulgated by nationally recognized organizations and other recognized methods
11 of determining a student's reading accuracy, expression, fluency and comprehension in order to
12 make a determination of the student's grade-level reading ability. Assessments [~~which~~] **that** do
13 not give a grade-level result may be used in combination with other assessments to reach a grade-
14 level determination. Districts **and charter schools** are encouraged but not required to select
15 assessment methods identified pursuant to section 167.346. Districts **and charter schools** are
16 [~~also~~] encouraged to use multiple methods of assessment;

17 [~~(2)~~] (4) **"Structured literacy", an evidence-based reading instruction that**
18 **addresses phonology, sound-symbol association, syllable instruction, morphology, syntax,**
19 **and semantics when such instruction is taught through systematic, cumulative, explicit, and**
20 **diagnostic methods;**

21 (5) "Summer school", for reading instruction purposes, a minimum of forty hours of
22 reading instruction and practice. A school district **or charter school** may arrange the hours and
23 days of instruction to coordinate with its regular program of summer school.

24 2. For purposes of this section, methods of reading assessment shall be determined by
25 each school district **and charter school**. **Each school district and charter school shall**
26 **provide training on the administration of reading assessments to all kindergarten through**
27 **fifth grade teachers and any other personnel who provide literacy instruction.** Unless a
28 student has been determined in the [~~current~~] **previous** school year to be reading at grade level
29 or above, each school district **and charter school** shall administer a reading assessment or set
30 of assessments to each student within [~~forty-five days of the end of the third-grade year~~] **the first**
31 **thirty calendar days of school for grades one through four, and by January thirty-first for**
32 **kindergarten**, except that the provisions of this subsection shall not apply to students receiving
33 special education services under an individualized education plan pursuant to sections 162.670
34 to 162.999, to students receiving services pursuant to Section 504 of the Rehabilitation Act of
35 1973 whose services plan includes an element addressing reading or to students determined to
36 have limited English proficiency or to students who have been determined, prior to the beginning
37 of any school year, to have a cognitive ability insufficient to meet the reading requirement set

38 out in this section, provided that districts **and charter schools** shall provide reading
39 ~~[improvement]~~ **success plans for students with an individualized education plan that have a**
40 **reading deficiency, for students receiving services under Section 504 of the Rehabilitation**
41 **Act of 1973 whose service plan includes an element addressing reading, and to students**
42 determined to have such insufficient cognitive ability. The assessment required by this
43 subsection shall also be required for students who enter a school district **or charter school** in
44 grades four, five, or six unless such student has been determined in the current school year to be
45 reading at grade level or above.

46 3. ~~[Beginning with school year 2002-03, for each student whose third-grade reading~~
47 ~~assessment determines that such student is reading below second-grade level, the school district~~
48 ~~shall design a reading improvement plan for the student's fourth-grade year. Such reading~~
49 ~~improvement plan shall include, at a minimum, thirty hours of additional reading instruction or~~
50 ~~practice outside the regular school day during the fourth-grade year.]~~ (1) **School districts and**
51 **charter schools shall offer a reading success plan to each student in grades kindergarten**
52 **through four who exhibits a reading deficiency, has been identified as being at risk for**
53 **dyslexia in the statewide dyslexia screening requirement, or has a formal diagnosis of**
54 **dyslexia to ensure students can read at or above grade level by the end of the fourth grade.**
55 **School districts and charter schools shall consider the input of teachers and other building-**
56 **level staff when identifying students for reading success plans. The reading success plan**
57 **shall be provided in addition to core reading instruction that is provided to all students in**
58 **the general education classroom. The reading success plan shall:**

59 (a) **Include, at a minimum, thirty hours of additional reading instruction or**
60 **practice outside the regular school day during the fourth-grade year;**

61 (b) **Be provided to all students in grades kindergarten through four identified with**
62 **a reading deficiency as determined by the school district or charter school using local or**
63 **statewide screening assessments administered within the first thirty days of school for**
64 **grades one through four, and by January thirty-first for kindergarten;**

65 (c) **Provide explicit and systematic multisensory instruction in phonological**
66 **awareness, phonics, fluency, vocabulary, and comprehension as applicable to each student;**

67 (d) **Monitor the reading progress of each student's reading skills throughout the**
68 **school year and adjust instruction according to the student's needs; and**

69 (e) **Be implemented during regular school hours.**

70 (2) **A structured literacy reading program shall be provided to any student with a**
71 **formal diagnosis of dyslexia or for a student who was found to be at risk for dyslexia in the**
72 **statewide dyslexia screening.**

73 **(3) If a student who is provided a reading success plan is determined to not be**
74 **reading at or above grade level by the end of second grade, the student shall receive**
75 **structured literacy instruction as well as additional support and services including, but not**
76 **limited to:**

77 **(a) Frequent, targeted reading intervention based on the student's needs and**
78 **provided in a small-group or one-on-one setting;**

79 **(b) Frequent monitoring of the student's reading skills throughout the school year;**
80 **and**

81 **(c) Adjustment of the structured literacy instruction and reading interventions**
82 **according to the student's needs.**

83 **(4) For students in grades six through twelve, school districts and charter schools**
84 **shall continue to address the reading deficiencies of any student for whom the deficiency**
85 **creates a barrier to success in school.**

86 **4. A reading success plan shall be created for a student within forty-five days**
87 **following the identification of a reading deficiency by such student's teacher and other**
88 **pertinent school personnel, after consultation with the student's parent or legal guardian,**
89 **and shall describe the evidence-based reading intervention services the student shall**
90 **receive to remedy the deficiency. The reading success plan shall specify whether the**
91 **student was found to be at risk for dyslexia in the local or statewide dyslexia screening**
92 **requirement or whether the student has a formal diagnosis of dyslexia. Each student shall**
93 **receive appropriate reading intervention until the student no longer has a deficiency in**
94 **reading.**

95 **5. The school district or charter school shall determine the ~~[method of reading~~**
96 **~~instruction]~~ specific structured literacy curriculum necessary to enforce this ~~[subsection]~~**
97 **section. The school district or charter school may also require the student to attend summer**
98 **school for reading instruction as a condition of promotion to fourth grade. The department of**
99 **elementary and secondary education may, from funds appropriated for the purpose, reimburse**
100 **school districts and charter schools for additional instructional personnel costs incurred in the**
101 **implementation and execution of the thirty hours of additional reading instruction minus the**
102 **revenue generated by the school district or charter school through the foundation formula for**
103 **the additional reading instruction average daily attendance.**

104 **[4-] 6. Each student for whom a reading ~~[improvement]~~ success plan has been designed**
105 **pursuant to subsection 3 of this section shall be given another reading assessment, to be**
106 **administered within forty-five days of the end of such student's fourth-grade year. If such student**
107 **is determined to be reading below third-grade level at the end of the third grade, the student**
108 **shall be ~~[required to attend summer school to receive reading instruction. At the end of such~~**

109 ~~summer school instruction, such student shall be given another reading assessment. If such~~
110 ~~student is determined to be reading below third-grade level, the district shall notify the student's~~
111 ~~parents or guardians, and the student shall not be promoted to fifth grade. No student shall be~~
112 ~~denied promotion more than once solely for inability to meet the reading standards set out in this~~
113 ~~section.~~

114 ~~5. The process described in subsections 3 and 4 of this section shall be repeated as~~
115 ~~necessary through the end of the sixth grade, with the target grade level rising accordingly.~~
116 ~~Mandatory retention in grade shall not apply to grades subsequent to fourth grade.~~

117 ~~6. The mandatory process of additional reading instruction pursuant to this section shall~~
118 ~~cease at the end of the sixth grade. The permanent record of students who are determined to be~~
119 ~~reading below the fifth-grade level at the end of sixth grade shall carry a notation advising that~~
120 ~~such student has not met minimal reading standards. The notation shall stay on the student's~~
121 ~~record until such time as the district determines that a student has met minimal reading~~
122 ~~standards] referred for an evaluation for an individualized education plan (IEP) and the~~
123 **district shall provide appropriate intensive structured literacy instruction on a one-to-one**
124 **individualized basis. If the student does not qualify for an IEP under the state guidelines**
125 **for qualification, the student shall continue to receive appropriate intensive structured**
126 **literacy instruction on a one-to-one individualized basis until the student is reading at**
127 **grade level.**

128 7. Each school district **and charter school** shall be required to offer summer school
129 reading instruction to any student with a reading [improvement] **success plan**. Districts **and**
130 **charter schools** may fulfill the requirement of this section through cooperative arrangements
131 with neighboring districts[, ~~provided that such districts shall timely make all payments provided~~
132 ~~pursuant to such cooperative agreements].~~

133 8. A school district **or charter school** may adopt a policy that requires retention in grade
134 of any student who has been determined to require summer school instruction in reading and who
135 does not fulfill the summer school attendance requirement.

136 9. Nothing in this section shall preclude a school district **or charter school** from
137 retaining any student in grade when a determination is made in accordance with district **or**
138 **charter school** policy that retention is in the best interests of the student.

139 10. **The state board of education shall evaluate and give weight to district and**
140 **charter school reading interventions and compliance with the provisions of this section**
141 **within the Missouri school improvement program.**

142 11. The state board of education shall not incorporate information about the number of
143 students receiving additional instruction pursuant to this section into any element of any standard
144 of the Missouri school improvement program or its successor accreditation program; provided,

145 however, each district **or charter school** shall make available, upon the request of any parent,
146 patron, **advocacy group**, or media outlet ~~[within the district]~~, the number and percentage of
147 students receiving remediation pursuant to this section. The information shall be presented in
148 a way that does not permit personal identification of any student or educational personnel.

149 ~~[11.]~~ **12.** Each school district **and charter school** shall make a systematic effort to
150 inform parents of the methods and materials used to teach reading in kindergarten through
151 ~~[fourth]~~ **fifth** grade, in terms understandable to a layperson ~~[and shall similarly inform parents~~
152 ~~of students for whom a reading improvement plan is required pursuant to this section]~~. **Notice**
153 **to the parent or legal guardian of any student for whom a reading success plan is required**
154 **shall be provided within thirty days.** Such communication may be through electronic or
155 other means; however, effort shall be made to ensure a parent received such
156 communication. The notice shall state that the student has been identified as having a
157 deficiency in reading identified through a screening or other method. The communication
158 shall also note if the student screened positive for the characteristics of dyslexia.
159 Additionally, the communication shall include the following information:

160 (1) That a reading success plan for the student shall be developed by the teacher
161 and other personnel;

162 (2) A description of the current services and proposed, evidence-based structured
163 literacy interventions and supplemental services;

164 (3) That the parent or guardian shall have the opportunity for input regarding the
165 reading success plan;

166 (4) The timing for periodic updates on student progress, which shall be aligned with
167 other normal interim student progress updates to the extent practicable; and

168 (5) Suggested strategies for use at home to help the student succeed in reading.

169 **13.** The department of elementary and secondary education may promulgate rules
170 to implement the provisions of this section. Any rule or portion of a rule, as that term is
171 defined in section 536.010, that is created under the authority delegated in this section shall
172 become effective only if it complies with and is subject to all of the provisions of chapter
173 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and
174 if any of the powers vested with the general assembly pursuant to chapter 536 to review,
175 to delay the effective date, or to disapprove and annul a rule are subsequently held
176 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted
177 after August 28, 2021, shall be invalid and void.

167.903. 1. Each student prior to ~~[his or her]~~ **the student's** ninth grade year at a public
2 school, including a charter school, ~~[may]~~ **shall** develop with help from the **student's parent or**
3 **guardian and the school's** guidance counselors ~~[a personal]~~ **an individual career and**

4 **academic** plan [~~of study~~], which shall be reviewed [~~regularly, as needed~~] **annually** by school
5 personnel and the student's parent or guardian and updated based upon the needs of the student.
6 Each plan shall present a sequence of courses and experiences that conclude with the student
7 reaching [~~his or her~~] **the student's** postsecondary goals, with implementation of the plan [~~of~~
8 ~~study~~] transferring to the program of postsecondary education or training upon the student's high
9 school graduation. The plan shall include, but not be limited to:

- 10 (1) Requirements for graduation from the school district or charter school;
- 11 (2) Career or postsecondary goals;
- 12 (3) Coursework or program of study related to career and postsecondary goals, which
13 shall include, if relevant, opportunities that the district or school may not directly offer;
- 14 (4) Grade-appropriate and career-related experiences, as outlined in the grade-level
15 expectations of the Missouri comprehensive guidance program; and
- 16 (5) Student assessments, interest inventories, or academic results needed to develop,
17 review, and revise the personal plan of study, which shall include, if relevant, assessments,
18 inventories, or academic results that the school district or charter school may not offer.

19 2. Each school district shall adopt a policy to permit the waiver of the requirements of
20 this section for any student with a disability if recommended by the student's IEP committee.
21 For purposes of this subsection, "IEP" means individualized education program.

22 **3. Each student prior to the completion of the second semester of the student's**
23 **twelfth-grade year shall include, as part of the student's individual career and academic**
24 **plan, a declaration of the student's postsecondary plans including, but not limited to, the**
25 **following:**

- 26 (1) **Confirmation of employment upon graduation;**
- 27 (2) **Acceptance to an institution of higher education, whether a two-year institution**
28 **or a four-year institution;**
- 29 (3) **Acceptance to participate in a vocational, technical, or other training program**
30 **designed to prepare the student for employment; or**
- 31 (4) **Commitment to enlist in the Armed Forces of the United States.**

167.907. 1. No pupil shall receive a certificate of graduation from any public school
2 **or charter school unless the pupil has completed and submitted the Free Application for**
3 **Federal Student Aid, as maintained by the United States Department of Education.**

4 **2. A student shall be exempt from the requirement to complete or submit the Free**
5 **Application for Federal Student Aid under subsection 1 of this section if such student**
6 **submits to the student's school:**

- 7 (1) **Written confirmation of a commitment to enlist in the Armed Forces of the**
8 **United States; or**

9 **(2) A written document or form, signed by the student's parent or guardian,**
10 **attesting that the student understands what the application is and has chosen not to file**
11 **such application.**

12 **3. A student shall be exempt from the requirement to complete or submit the Free**
13 **Application for Federal Student Aid under subsection 1 of this section if such student is**
14 **unable to complete the application because of extenuating circumstances.**

15 **4. This section shall become effective on July 1, 2022.**

167.908. 1. The department of higher education and workforce development shall,
2 **by rule, establish a procedure for providing the means and capability for high school**
3 **students enrolled in career and technical education programs described in section 170.029**
4 **to complete an application for aid through the Employment and Training Administration**
5 **of the United States Department of Labor under the federal Workforce Innovation and**
6 **Opportunity Act. The department shall work with school districts that deliver career and**
7 **technical education programs to educate students on the value of the aid that is available**
8 **to them through the federal Workforce Innovation and Opportunity Act.**

9 **2. To accomplish the purposes of subsection 1 of this section, the department shall**
10 **ensure that the following percentages of all department of elementary and secondary**
11 **education area career centers that deliver career and technical education programs have**
12 **the means and capability for students at such schools to complete an application for aid**
13 **through the Employment and Training Administration of the United States Department**
14 **of Labor under the federal Workforce Innovation and Opportunity Act:**

15 **(1) For the 2021-22 school year, fifty percent;**

16 **(2) For the 2022-23 school year, seventy percent;**

17 **(3) For the 2023-24 school year, ninety percent; and**

18 **(4) For the 2024-25 school year and every school year thereafter, one hundred**
19 **percent.**

168.021. 1. Certificates of license to teach in the public schools of the state shall be
2 **granted as follows:**

3 **(1) By the state board, under rules and regulations prescribed by it:**

4 **(a) Upon the basis of college credit;**

5 **(b) Upon the basis of examination;**

6 **(2) By the state board, under rules and regulations prescribed by the state board with**
7 **advice from the advisory council established by section 168.015 to any individual who presents**
8 **to the state board a valid doctoral degree from an accredited institution of higher education**
9 **accredited by a regional accrediting association such as North Central Association. Such**
10 **certificate shall be limited to the major area of postgraduate study of the holder, shall be issued**

11 only after successful completion of the examination required for graduation pursuant to rules
12 adopted by the state board of education, and shall be restricted to those certificates established
13 pursuant to subdivision (2) of subsection 3 of this section;

14 (3) By the state board, which shall issue the professional certificate classification in both
15 the general and specialized areas most closely aligned with the current areas of certification
16 approved by the state board, commensurate with the years of teaching experience of the
17 applicant, and based upon the following criteria:

18 (a) Recommendation of a state-approved baccalaureate-level teacher preparation
19 program;

20 (b) a. Successful attainment of the Missouri qualifying score on the exit assessment for
21 teachers or administrators designated by the state board of education[-] ;

22 b. (i) Applicants who have not successfully achieved a qualifying score on the
23 designated examinations will be issued a two-year nonrenewable provisional certificate;

24 (ii) **During the two-year nonrenewable provisional certification, an individual**
25 **teacher may gain full professional certification by:**

26 i. **Achieving a qualifying score on the designated exam; or**

27 ii. **Successfully achieving an acceptable score on the state-approved teacher**
28 **evaluation system from seven walk-through evaluations, two formative evaluations, and**
29 **one summative evaluation for each of the two probationary years and being offered a third**
30 **contract by the employing district. For any applicant who has a change in job status**
31 **because of a reduction in the workforce or a change in life circumstances, the scores**
32 **required under this item may be scores achieved in any school district during the two-year**
33 **nonrenewable provisional certification period;**

34 (iii) **The employing school district shall recommend to the department of**
35 **elementary and secondary education that the individual teacher be awarded a full**
36 **professional certification by the state board under rules prescribed by the state board; and**

37 (c) Upon completion of a background check as prescribed in section 168.133 and
38 possession of a valid teaching certificate in the state from which the applicant's teacher
39 preparation program was completed;

40 (4) By the state board, under rules prescribed by it, on the basis of a relevant bachelor's
41 degree, or higher degree, and a passing score for the designated exit examination, for individuals
42 whose academic degree and professional experience are suitable to provide a basis for instruction
43 solely in the subject matter of banking or financial responsibility, at the discretion of the state
44 board. Such certificate shall be limited to the major area of study of the holder and shall be
45 restricted to those certificates established under subdivision (2) of subsection 3 of this section.
46 Holders of certificates granted under this subdivision shall be exempt from the teacher tenure act

47 under sections 168.102 to 168.130 and each school district shall have the decision-making
48 authority on whether to hire the holders of such certificates;

49 (5) By the state board, under rules and regulations prescribed by it, on the basis of
50 certification by the American Board for Certification of Teacher Excellence (ABCTE) and
51 verification of ability to work with children as demonstrated by sixty contact hours in any one
52 of the following areas as validated by the school principal: sixty contact hours in the classroom,
53 of which at least forty-five must be teaching; sixty contact hours as a substitute teacher, with at
54 least thirty consecutive hours in the same classroom; sixty contact hours of teaching in a private
55 school; or sixty contact hours of teaching as a paraprofessional, for an initial four-year ABCTE
56 certificate of license to teach, except that such certificate shall not be granted for the areas of
57 early childhood education, or special education. For certification in the area of elementary
58 education, ninety contact hours in the classroom shall be required, of which at least thirty shall
59 be in an elementary classroom. Upon the completion of the **following** requirements [~~listed in~~
60 ~~paragraphs (a), (b), (c), and (d) of this subdivision~~], an applicant shall be eligible to apply for a
61 career continuous professional certificate under subdivision (3) of subsection 3 of this section:

62 (a) Completion of thirty contact hours of professional development within four years,
63 which may include hours spent in class in an appropriate college curriculum;

64 (b) Validated completion of two years of the mentoring program of the American Board
65 for Certification of Teacher Excellence or a district mentoring program approved by the state
66 board of education;

67 (c) Attainment of a successful performance-based teacher evaluation; and

68 (d) Participation in a beginning teacher assistance program; or

69 (6) (a) By the state board, under rules and regulations prescribed by [~~it~~] **the board**,
70 which shall issue an initial visiting scholars certificate at the discretion of the board, based on
71 the following criteria:

72 [~~(a)~~] **a.** Verification from the hiring school district that the applicant will be employed
73 [~~as part of a business-education partnership initiative designed~~] to build career pathways systems
74 **or employed as part of an initiative designed to fill vacant positions in hard-to-staff public**
75 **schools or hard-to-fill subject areas** for students in a grade or grades not lower than the ninth
76 grade for which the applicant's academic degree or professional experience qualifies [~~him or her~~]
77 **the applicant;**

78 [~~(b)~~] **b.** Appropriate and relevant bachelor's degree or higher, occupational license, or
79 industry-recognized credential;

80 [~~(c)~~] **c.** Completion of the application for a one-year visiting scholars certificate; and

81 [~~(d)~~] **d.** Completion of a background check as prescribed under section 168.133.

82 **(b)** The initial visiting scholars certificate shall certify the holder of such certificate to
83 teach for one year. An applicant shall be eligible to renew an initial visiting scholars certificate
84 a maximum of ~~two~~ **four** times, based upon the completion of the requirements listed under
85 ~~paragraphs (a), (b), and (d)~~ **subparagraphs a., b., and d. of paragraph (a)** of this subdivision;
86 completion of professional development required by the school district and school; and
87 attainment of a satisfactory performance-based teacher evaluation.

88 2. All valid teaching certificates issued pursuant to law or state board policies and
89 regulations prior to September 1, 1988, shall be exempt from the professional development
90 requirements of this section and shall continue in effect until they expire, are revoked or
91 suspended, as provided by law. When such certificates are required to be renewed, the state
92 board or its designee shall grant to each holder of such a certificate the certificate most nearly
93 equivalent to the one so held. Anyone who holds, as of August 28, 2003, a valid PC-I, PC-II,
94 or continuous professional certificate shall, upon expiration of ~~his or her~~ **the person's** current
95 certificate, be issued the appropriate level of certificate based upon the classification system
96 established pursuant to subsection 3 of this section.

97 3. (1) Certificates of license to teach in the public schools of the state shall be based
98 upon minimum requirements prescribed by the state board of education which shall include
99 completion of a background check as prescribed in section 168.133. The state board shall
100 provide for the following levels of professional certification: an initial professional certificate
101 and a career continuous professional certificate.

102 (2) The initial professional certificate shall be issued upon completion of requirements
103 established by the state board of education and shall be valid based upon verification of actual
104 teaching within a specified time period established by the state board of education. The state
105 board shall require holders of the four-year initial professional certificate to:

106 (a) Participate in a mentoring program approved and provided by the district for a
107 minimum of two years;

108 (b) Complete thirty contact hours of professional development, which may include hours
109 spent in class in an appropriate college curriculum, or for holders of a certificate under
110 subdivision (4) of subsection 1 of this section, an amount of professional development in
111 proportion to the certificate holder's hours in the classroom, if the certificate holder is employed
112 less than full time; and

113 (c) Participate in a beginning teacher assistance program.

114 (3) (a) The career continuous professional certificate shall be issued upon verification
115 of completion of four years of teaching under the initial professional certificate and upon
116 verification of the completion of the requirements articulated in paragraphs (a) ~~[(b), and]~~ **to (c)**

117 of subdivision (2) of this subsection or paragraphs (a)~~], (b), (c), and~~ to (d) of subdivision (5) of
118 subsection 1 of this section.

119 (b) The career continuous professional certificate shall be continuous based upon
120 verification of actual employment in an educational position as provided for in state board
121 guidelines and completion of fifteen contact hours of professional development per year which
122 may include hours spent in class in an appropriate college curriculum. ~~[Should]~~ **If** the possessor
123 of a valid career continuous professional certificate ~~[fail]~~ **fails**, in any given year, to meet the
124 fifteen-hour professional development requirement, the possessor may, within two years, make
125 up the missing hours. In order to make up for missing hours, the possessor shall first complete
126 the fifteen-hour requirement for the current year and then may count hours in excess of the
127 current year requirement as make-up hours. ~~[Should]~~ **If** the possessor ~~[fail]~~ **fails** to make up the
128 missing hours within two years, the certificate shall become inactive. In order to reactivate the
129 certificate, the possessor shall complete twenty-four contact hours of professional development
130 which may include hours spent in the classroom in an appropriate college curriculum within the
131 six months prior to or after reactivating ~~[his or her]~~ **the possessor's** certificate. The requirements
132 of this paragraph shall be monitored and verified by the local school district ~~[which]~~ **that**
133 employs the holder of the career continuous professional certificate.

134 (c) A holder of a career continuous professional certificate shall be exempt from the
135 professional development contact hour requirements of paragraph (b) of this subdivision if such
136 teacher has a local professional development plan in place within such teacher's school district
137 and meets two of the three following criteria:

- 138 a. Has ten years of teaching experience as defined by the state board of education;
139 b. Possesses a master's degree; or
140 c. Obtains a rigorous national certification as approved by the state board of education.
141 4. Policies and procedures shall be established by which a teacher who was not retained
142 due to a reduction in force may retain the current level of certification. There shall also be
143 established policies and procedures allowing a teacher who has not been employed in an
144 educational position for three years or more to reactivate ~~[his or her]~~ **the teacher's** last level of
145 certification by completing twenty-four contact hours of professional development which may
146 include hours spent in the classroom in an appropriate college curriculum within the six months
147 prior to or after reactivating ~~[his or her]~~ **the teacher's** certificate.

148 5. The state board shall, upon completion of a background check as prescribed in section
149 168.133, issue a professional certificate classification in the areas most closely aligned with an
150 applicant's current areas of certification, commensurate with the years of teaching experience of
151 the applicant, to any person who is hired to teach in a public school in this state and who
152 possesses a valid teaching certificate from another state or certification under subdivision (4) of

153 subsection 1 of this section, provided that the certificate holder shall annually complete the state
154 board's requirements for such level of certification, and shall establish policies by which
155 residents of states other than the state of Missouri may be assessed a fee for a certificate of
156 license to teach in the public schools of Missouri. Such fee shall be in an amount sufficient to
157 recover any or all costs associated with the issuing of a certificate of license to teach. The board
158 shall promulgate rules to authorize the issuance of a provisional certificate of license, which shall
159 be valid for three years and shall allow the holder to assume classroom duties pending the
160 completion of a criminal background check under section 168.133, for any applicant who:

- 161 (1) Is the spouse of a member of the Armed Forces stationed in Missouri;
- 162 (2) Relocated from another state within one year of the date of application;
- 163 (3) Underwent a criminal background check in order to be issued a teaching certificate
164 of license from another state; and
- 165 (4) Otherwise qualifies under this section.

166 6. The state board may assess to holders of an initial professional certificate a fee, to be
167 deposited into the excellence in education revolving fund established pursuant to section
168 160.268, for the issuance of the career continuous professional certificate. However, such fee
169 shall not exceed the combined costs of issuance and any criminal background check required as
170 a condition of issuance. Applicants for the initial ABCTE certificate shall be responsible for any
171 fees associated with the program leading to the issuance of the certificate, but nothing in this
172 section shall prohibit a district from developing a policy that permits fee reimbursement.

173 7. Any member of the public school retirement system of Missouri who entered covered
174 employment with ten or more years of educational experience in another state or states and held
175 a certificate issued by another state and subsequently worked in a school district covered by the
176 public school retirement system of Missouri for ten or more years who later became certificated
177 in Missouri shall have that certificate dated back to ~~his or her~~ **the member's** original date of
178 employment in a Missouri public school.

179 8. Within thirty days of receiving an application from a spouse of an active duty member
180 of the Armed Forces of the United States who has been transferred or is scheduled to be
181 transferred to the state of Missouri, or who has been transferred or is scheduled to be transferred
182 to an adjacent state and is or will be domiciled in the state of Missouri, or has moved to the state
183 of Missouri on a permanent change-of-station basis and has successfully completed the
184 background check described under subsection 5 of this section and section 168.133, the state
185 board shall issue to such applicant a full certificate of license to teach, provided that the applicant
186 has paid all necessary fees and has otherwise met all requirements to be issued such a certificate.

**168.036. 1. In addition to granting certificates of license to teach in public schools
2 of the state as provided in section 168.021, the state board of education shall grant**

3 substitute teacher certificates as provided in this section to any individual seeking to
4 substitute teach in any public school in this state.

5 2. (1) The state board shall not grant a certificate of license to teach under this
6 section to any individual who has not completed a background check as described in
7 section 168.133.

8 (2) A background check conducted under this subsection shall be valid for four
9 years for purposes of the certificate granted under this section and shall be transferrable
10 from one school district to another district except as provided in subdivision (3) of this
11 subsection.

12 (3) A school district employing a substitute teacher who has a certificate granted
13 under this section may require the teacher to complete the background check annually.
14 A school district may require the background check required in this section for a newly
15 hired substitute teacher to be conducted at the teacher's expense.

16 (4) The state board may refuse to issue or renew, suspend, or revoke any certificate
17 sought or issued under this section in the same manner and for the same reasons as
18 provided in section 168.071.

19 3. The state board may grant a certificate under this section to any individual who
20 has completed the background check required in this section and who has completed:

21 (1) At least thirty-six semester hours at an accredited institution of higher
22 education; or

23 (2) The twenty-hour online training program required in this section and who
24 possesses a high school diploma or the equivalent thereof.

25 4. The state board may grant a certificate under this section to any highly qualified
26 individual with expertise in a technical or business field or with experience in the Armed
27 Forces of the United States who has completed the background check required in this
28 section but does not meet any of the qualifications in subdivision (1) or (2) of subsection 3
29 of this section if the superintendent of the school district sponsors such individual and the
30 school board of the school district in which the individual seeks to substitute teach votes
31 to approve such individual to substitute teach.

32 5. (1) An individual to whom the state board grants a certificate under this section
33 may be a substitute teacher in any public school in the state if a school district
34 superintendent, school district assistant superintendent, or public school principal in this
35 state agrees to employ the individual as a substitute teacher.

36 (2) No individual to whom the state board grants a certificate under this section
37 and who is under twenty years of age shall be a substitute teacher in grades nine to twelve.

38 **6. An individual to whom the state board grants a certificate under this section**
39 **shall complete an orientation developed and offered by the school district for which the**
40 **individual originally teaches. The orientation for such individual shall contain at least two**
41 **hours of subjects appropriate for substitute teachers and shall contain instruction on the**
42 **school district's best practices for classroom management. Such orientation completed in**
43 **any school district may be accepted by any subsequent district in which the individual**
44 **substitute teaches. A subsequent school district may require the individual to complete a**
45 **separate and distinct local orientation for the particular school district before the**
46 **individual may substitute teach in the subsequent school district.**

47 **7. A certificate granted under this section shall be valid for four years. A certificate**
48 **granted under this section shall expire at the end of any calendar year in which the**
49 **individual fails to substitute teach for at least five days or forty hours of in-seat instruction.**

50 **8. The department of elementary and secondary education shall develop an online**
51 **training program for individuals granted a certificate under subdivision (2) of subsection**
52 **3 of this section. The training program shall consist of twenty hours of training related to**
53 **subjects appropriate for substitute teachers as determined by the department. A substitute**
54 **teacher shall complete an orientation for substitute teachers provided by the school district**
55 **in which the substitute teacher teaches.**

56 **9. Any individual possessing a valid certificate of license to teach granted by the**
57 **state board shall be deemed to be a substitute teacher under this section if the individual**
58 **has completed a background check as required in this section.**

59 **10. The state board may exercise the board's authority as provided in chapter 161**
60 **to promulgate all necessary rules and regulations necessary for the administration of this**
61 **section.**

168.500. 1. For the purpose of providing career pay, which shall be a salary supplement,
2 for public school teachers, which for the purpose of sections 168.500 to 168.515 shall include
3 classroom teachers, librarians, school counselors and certificated teachers who hold positions
4 as school psychological examiners, parents as teachers educators, school psychologists, special
5 education diagnosticians and speech pathologists, and are on the district salary schedule, there
6 is hereby created and established a career advancement program which shall be known as the
7 "Missouri Career Development and Teacher Excellence Plan", hereinafter known as the "career
8 plan or program". Participation by local school districts in the career advancement program
9 established under this section shall be voluntary. The career advancement program is a matching
10 fund program. The general assembly may make an annual appropriation to the excellence in
11 education fund established under section 160.268 for the purpose of providing the state's portion
12 for the career advancement program. The "Career Ladder Forward Funding Fund" is hereby

13 established in the state treasury. Beginning with fiscal year 1998 and until the career ladder
14 forward funding fund is terminated pursuant to this subsection, the general assembly may
15 appropriate funds to the career ladder forward funding fund. Notwithstanding the provisions of
16 section 33.080 to the contrary, moneys in the fund shall not be transferred to the credit of the
17 general revenue fund at the end of the biennium. All interest or other gain received from
18 investment of moneys in the fund shall be credited to the fund. All funds deposited in the fund
19 shall be maintained in the fund until such time as the balance in the fund at the end of the fiscal
20 year is equal to or greater than the appropriation for the career ladder program for the following
21 year, at which time all such revenues shall be used to fund, in advance, the career ladder program
22 for such following year and the career ladder forward funding fund shall thereafter be terminated.

23 2. The department of elementary and secondary education, at the direction of the
24 commissioner of education, shall study and develop model career plans which shall be made
25 available to the local school districts. These state model career plans shall:

26 (1) Contain three steps or stages of career advancement;

27 (2) Contain a detailed procedure for the admission of teachers to the career program;

28 (3) Contain specific criteria for career step qualifications and attainment. These criteria
29 shall clearly describe the minimum number of professional responsibilities required of the
30 teacher at each stage of the plan and shall include reference to classroom performance
31 evaluations performed pursuant to section 168.128. **The criteria may include, but shall not**
32 **be limited to, teacher externships as provided in section 168.025;**

33 (4) Be consistent with the teacher certification process recommended by the Missouri
34 advisory council of certification for educators and adopted by the department of elementary and
35 secondary education;

36 (5) Provide that public school teachers in Missouri shall become eligible to apply for
37 admission to the career plans adopted under sections 168.500 to 168.515 after [~~five~~] **two** years
38 of public school teaching in Missouri. All teachers seeking admission to any career plan shall,
39 as a minimum, meet the requirements necessary to obtain the first renewable professional
40 certificate as provided in section 168.021;

41 (6) Provide procedures for appealing decisions made under career plans established
42 under sections 168.500 to 168.515.

43 3. **School district career plans shall recognize additional responsibilities and**
44 **volunteer efforts by teachers in formulating criteria for career ladder admission and stage**
45 **achievement. Such additional responsibilities and volunteer efforts shall be required to**
46 **occur outside of compensated hours and may include, but shall not be limited to:**

47 (1) **Serving as a coach, supervisor, or organizer for any extracurricular activity for**
48 **which the teacher does not already receive additional compensation;**

- 49 **(2) Serving as a mentor for students, whether in a formal or informal capacity;**
50 **(3) Receiving additional teacher training or certification outside of that offered by**
51 **the school district;**
52 **(4) Serving as a tutor or providing additional learning opportunities to students;**
53 **and**
54 **(5) Assisting students with postsecondary education preparation including, but not**
55 **limited to, teaching an ACT or SAT preparation course or assisting students with**
56 **completing college or career school admission or financial assistance applications.**

57 **4.** The commissioner of education shall cause the department of elementary and
58 secondary education to establish guidelines for all career plans established under this section, and
59 criteria that must be met by any school district which seeks funding for its career plan.

60 ~~[4.]~~ **5.** A participating local school district may have the option of implementing a career
61 plan developed by the department of elementary and secondary education or a local plan which
62 has been developed with advice from teachers employed by the district and which has met with
63 the approval of the department of elementary and secondary education. In approving local career
64 plans, the department of elementary and secondary education may consider provisions in the plan
65 of the local district for recognition of teacher mobility from one district to another within this
66 state.

67 ~~[5.]~~ **6.** The career plans of local school districts shall not discriminate on the basis of
68 race, sex, religion, national origin, color, creed, or age. Participation in the career plan of a local
69 school district is optional, and any teacher who declines to participate shall not be penalized in
70 any way.

71 ~~[6.]~~ **7.** In order to receive funds under this section, a school district which is not subject
72 to section 162.920 must have a total levy for operating purposes which is in excess of the amount
73 allowed in Section 11(b) of Article X of the Missouri Constitution; and a school district which
74 is subject to section 162.920 must have a total levy for operating purposes which is equal to or
75 in excess of twenty-five cents on each hundred dollars of assessed valuation.

76 ~~[7.]~~ **8.** The commissioner of education shall cause the department of elementary and
77 secondary education to regard a speech pathologist who holds both a valid certificate of license
78 to teach and a certificate of clinical competence to have fulfilled the standards required to be
79 placed on stage III of the career program, provided that such speech pathologist has been
80 employed by a public school in Missouri for at least ~~[five]~~ **two** years and is approved for
81 placement at such stage III by the local school district.

82 ~~[8.]~~ **9.** Beginning in fiscal year 2012, the state portion of career ladder payments shall
83 only be made available to local school districts if the general assembly makes an appropriation
84 for such program. Payments authorized under sections 168.500 to 168.515 shall only be made

85 available in a year for which a state appropriation is made. Any state appropriation shall be
86 made prospectively in relation to the year in which work under the program is performed.

87 ~~[9.]~~ **10.** Nothing in this section shall be construed to prohibit a local school district from
88 funding the program for its teachers for work performed in years for which no state appropriation
89 is made available.

168.515. 1. Each teacher selected to participate in a career plan established under
2 sections 168.500 to 168.515, who meets the requirements of such plan, may receive a salary
3 supplement, the state's share of which shall be distributed under section 163.031, equal to the
4 following amounts applied to the career ladder entitlement of section 163.031:

5 (1) Career stage I teachers may receive up to an additional one thousand five hundred
6 dollars per school year;

7 (2) Career stage II teachers may receive up to an additional three thousand dollars per
8 school year;

9 (3) Career stage III teachers may receive up to an additional five thousand dollars per
10 school year. All teachers within each stage within the same school district shall receive equal
11 salary supplements.

12 2. The state may make payments pursuant to section 163.031 to the local school district
13 for the purpose of providing funding to the local school district for the payment of any salary
14 supplements provided for in this section, subject to the availability of funds as appropriated each
15 year and distributed on a matching basis where the percentage of state funding shall be ~~[forty]~~
16 **sixty** percent and the percentage of local funding shall be ~~[sixty]~~ **forty** percent.

17 3. Not less than every fourth year, beginning with calendar year 1988, the general
18 assembly, through the joint committee established under section 160.254, shall review the
19 amount of the career pay provided for in this section to determine if any increases are necessary
20 to reflect the increases in the cost of living which have occurred since the salary supplements
21 were last reviewed or set.

22 4. To participate in the salary supplement program established under this section, a
23 school district may submit to the voters of the district a proposition to increase taxes for this
24 purpose. If a school district's current tax rate ceiling is at or above the rate from which an
25 increase would require a two-thirds majority, the school board may submit to the voters of the
26 district a proposition to reduce or eliminate the amount of the levy reduction resulting from
27 section 164.013. If a majority of the voters voting thereon vote in favor of the proposition, the
28 board may certify that seventy-five percent of the revenue generated from this source shall be
29 used to implement the salary supplement program established under this section.

30 5. In no case shall a school district use state funds received under this section nor local
31 revenue generated from a tax established under subsection 4 of this section to comply with the
32 minimum salary requirements for teachers established pursuant to section 163.172.

169.596. 1. Notwithstanding any other provision of this chapter to the contrary, a retired
2 certificated teacher receiving a retirement benefit from the retirement system established
3 pursuant to sections 169.010 to 169.141 may, without losing ~~[his or her]~~ **such teacher's**
4 retirement benefit, **[teach] be employed** full time for up to ~~[two]~~ **four** years for a school district
5 covered by such retirement system; provided that the school district has a shortage of certified
6 teachers, as determined by the school district~~]; and provided that no such retired certificated~~
7 ~~teacher shall be employed as a superintendent. The total number of such retired certificated~~
8 ~~teachers shall not exceed, at any one time, the lesser of ten percent of the total teacher staff for~~
9 ~~that school district, or five certificated teachers].~~ **A retired certificated teacher receiving a**
10 **retirement benefit from the retirement system established under sections 169.010 to**
11 **169.141 may be employed full time for up to two years as a superintendent under this**
12 **subsection only if such teacher meets the certification requirements for a superintendent**
13 **and such teacher has been retired for at least twelve months prior to such employment**
14 **unless such employment is immediately necessary due to death, disability, or termination**
15 **for cause of the superintendent who held the position being filled.**

2. Notwithstanding any other provision of this chapter to the contrary, a retired
17 **certificated teacher with creditable service, as defined in section 169.010, as a**
18 **superintendent and who is receiving a retirement benefit from the retirement system**
19 **established under sections 169.010 to 169.141 may, without losing such teacher's retirement**
20 **benefit, be employed full-time for up to four years for a school district covered by such**
21 **retirement system if the school district has a shortage of certified teachers as determined**
22 **by the school district. A retired certificated teacher with creditable service, as defined in**
23 **section 169.010, as a superintendent and who is receiving a retirement benefit from the**
24 **retirement system established under sections 169.010 to 169.141 may be employed full-time**
25 **for up to two years as a superintendent under this subsection only if such teacher has been**
26 **retired for at least twelve months prior to such employment unless such employment is**
27 **immediately necessary due to death, disability, or termination for cause of the**
28 **superintendent who held the position being filled.**

3. Notwithstanding any other provision of this chapter to the contrary, a person receiving
30 a retirement benefit from the retirement system established pursuant to sections 169.600 to
31 169.715 may, without losing ~~[his or her]~~ **such person's** retirement benefit, be employed full time
32 for up to ~~[two]~~ **four** years for a school district covered by such retirement system; provided that
33 the school district has a shortage of noncertificated employees, as determined by the school

34 district. ~~[The total number of such retired noncertificated employees shall not exceed, at any one~~
 35 ~~time, the lesser of ten percent of the total noncertificated staff for that school district, or five~~
 36 ~~employees.]~~

37 **4. The total number of retired members working for a school district under**
 38 **subsections 1 and 2 of this section shall not exceed, at any one time, the lesser of:**

39 **(1) Ten percent of the total number of employees for that district; or**

40 **(2) Ten employees.**

41 ~~[3-] 5.~~ The employer's contribution rate shall be paid by the hiring school district.

42 ~~[4-] 6.~~ In order to hire ~~[teachers and noncertificated employees pursuant to]~~ **retired**
 43 **members under** the provisions of this section, the school district shall:

44 (1) Show a good faith effort to fill positions with nonretired certificated teachers or
 45 nonretired noncertificated employees;

46 (2) Post the vacancy for at least one month;

47 (3) Have not offered early retirement incentives for either of the previous two years;

48 (4) Solicit applications through the local newspaper, other media, or teacher education
 49 programs;

50 (5) Determine there is an insufficient number of eligible applicants for the advertised
 51 position; and

52 (6) Declare a critical shortage of certificated teachers or noncertificated employees that
 53 is active for one year.

54 ~~[5-] 7.~~ Any person hired pursuant to this section shall be included in the State Directory
 55 of New Hires for purposes of income and eligibility verification pursuant to 42 U.S.C. Section
 56 1320b-7, as amended.

170.025. 1. Each school district shall ensure that:

2 **(1) Its elementary school or schools provide instruction in cursive writing so that**
 3 **students create readable documents through legible cursive handwriting by the end of the**
 4 **fifth grade; and**

5 **(2) Each student passes with proficiency a teacher-constructed test demonstrating**
 6 **competency in both reading and writing cursive.**

7 **2. The department of elementary and secondary education may promulgate rules**
 8 **to implement the provisions of this section. Any rule or portion of a rule, as that term is**
 9 **defined in section 536.010, that is created under the authority delegated in this section shall**
 10 **become effective only if it complies with and is subject to all of the provisions of chapter**
 11 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and**
 12 **if any of the powers vested with the general assembly pursuant to chapter 536 to review,**
 13 **to delay the effective date, or to disapprove and annul a rule are subsequently held**

14 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
15 **after August 28, 2021, shall be invalid and void.**

170.029. 1. **The state board of education shall develop a statewide plan for career
2 and technical education (CTE) that ensures sustainability, viability, and relevance by
3 matching workforce needs with appropriate educational resources.**

4 2. The state board of education, in consultation with the career and technical education
5 advisory council as established in section 178.550, shall establish minimum requirements for a
6 ~~[career and technical education (CTE)]~~ CTE certificate that a student can earn in addition to ~~[his~~
7 ~~or her]~~ **the student's** high school graduation diploma. Students entering high school in school
8 year 2017-18 and thereafter shall be eligible to earn a CTE certificate.

9 ~~[2-]~~ 3. The ~~[state board of education]~~ **statewide plan** shall establish CTE requirements
10 intended to provide students with the necessary technical employability skills to be prepared for
11 an entry-level career in a technical field or additional training in a technical field. The provisions
12 of this section shall not be considered a means for tracking students in order to impel students
13 to particular vocational, career, or college paths. The state board of education shall work with
14 local school districts to ensure that tracking does not occur. For purposes of this section,
15 "tracking" means separating pupils by academic ability into groups for all subjects or certain
16 classes and curriculum.

17 ~~[3-]~~ 4. Each local school district shall determine the curriculum, programs of study, and
18 course offerings based on the needs and interests of the students in the district **and meeting the**
19 **requirements of the statewide plan.** As required by Missouri's state plan for career education
20 and the Missouri school improvement program, the state board of education shall work in
21 cooperation with individual school districts to stipulate the minimum number of CTE offerings.
22 Each local school district shall strive to offer programs of study that are economically feasible
23 for students in the district. In establishing CTE offerings, the district may rely on standards,
24 technical coursework, and skills assessments developed for industry-recognized certificates or
25 credentials.

26 5. **To enable school districts to offer CTE programs of study that are current with**
27 **business and industry standards, the department of elementary and secondary education**
28 **shall as needed convene work groups from each program area to develop and recommend**
29 **rigorous and relevant performance standards or course competencies for each program**
30 **of study. The work groups shall include, but not be limited to, educators providing**
31 **instruction in each CTE program area, advisors from each CTE program area from the**
32 **department of elementary and secondary education, the department of higher education**
33 **and workforce development, business and industry, and institutions of higher education.**
34 **The department of elementary and secondary education shall develop written model**

35 **curriculum frameworks relating to CTE program areas that may be used by school**
36 **districts. The requirements of section 160.514 shall not apply to this section.**

37 [4.] 6. No later than January 1, 2017, the department of elementary and secondary
38 education shall develop a process for recognition of a school district's career and technical
39 education program that offers a career and technical education certificate.

40 [5.] 7. The department of elementary and secondary education shall promulgate all
41 necessary rules and regulations for the administration of this section. Any rule or portion of a
42 rule, as that term is defined in section 536.010, that is created under the authority delegated in
43 this section shall become effective only if it complies with and is subject to all of the provisions
44 of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
45 nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536
46 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held
47 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
48 August 28, 2016, shall be invalid and void.

170.047. 1. Beginning in the 2017-18 school year, any licensed educator may annually
2 complete up to two hours of training or professional development in youth suicide awareness and
3 prevention as part of the professional development hours required for state board of education
4 certification. **Beginning in the 2021-22 school year and continuing in subsequent school**
5 **years, such training or professional development in youth suicide awareness and**
6 **prevention shall contain at least one unit relating to stress management strategies for**
7 **students and faculty members.**

8 2. The department of elementary and secondary education shall develop guidelines
9 suitable for training or professional development in youth suicide awareness and prevention. The
10 department shall develop materials that may be used for such training or professional
11 development.

12 3. For purposes of this section, the term "licensed educator" shall refer to any teacher
13 with a certificate of license to teach issued by the state board of education or any other educator
14 or administrator required to maintain a professional license issued by the state board of
15 education.

16 4. The department of elementary and secondary education may promulgate rules and
17 regulations to implement this section.

18 5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
19 under the authority delegated in this section shall become effective only if it complies with and
20 is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section
21 and chapter 536 are nonseverable, and if any of the powers vested with the general assembly
22 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule

23 are subsequently held unconstitutional, then the grant of rulemaking authority and any rule
24 proposed or adopted after August 28, 2016, shall be invalid and void.

171.033. 1. "Inclement weather", for purposes of this section, shall be defined as ice,
2 snow, extreme cold, excessive heat, flooding, or a tornado.

3 2. (1) A district shall be required to make up the first six days of school lost or cancelled
4 due to inclement weather and half the number of days lost or cancelled in excess of six days if
5 the makeup of the days is necessary to ensure that the district's students will attend a minimum
6 of one hundred forty-two days and a minimum of one thousand forty-four hours for the school
7 year except as otherwise provided in this section. Schools with a four-day school week may
8 schedule such make-up days on Fridays.

9 (2) Notwithstanding subdivision (1) of this subsection, in school year 2019-20 and
10 subsequent years, a district shall be required to make up the first thirty-six hours of school lost
11 or cancelled due to inclement weather and half the number of hours lost or cancelled in excess
12 of thirty-six if the makeup of the hours is necessary to ensure that the district's students attend
13 a minimum of one thousand forty-four hours for the school year, except as otherwise provided
14 under subsections 3 and 4 of this section.

15 3. (1) In the 2009-10 school year and subsequent years, a school district may be exempt
16 from the requirement to make up days of school lost or cancelled due to inclement weather in
17 the school district when the school district has made up the six days required under subsection
18 2 of this section and half the number of additional lost or cancelled days up to eight days,
19 resulting in no more than ten total make-up days required by this section.

20 (2) In school year 2019-20 and subsequent years, a school district may be exempt from
21 the requirement to make up school lost or cancelled due to inclement weather in the school
22 district when the school district has made up the thirty-six hours required under subsection 2 of
23 this section and half the number of additional lost or cancelled hours up to forty-eight, resulting
24 in no more than sixty total make-up hours required by this section.

25 4. The commissioner of education may provide, for any school district that cannot meet
26 the minimum school calendar requirement of at least one hundred seventy-four days for schools
27 with a five-day school week or one hundred forty-two days for schools with a four-day school
28 week and one thousand forty-four hours of actual pupil attendance or, in school year 2019-20 and
29 subsequent years, one thousand forty-four hours of actual pupil attendance, upon request, a
30 waiver to be excused from such requirement. This waiver shall be requested from the
31 commissioner of education and may be granted if the school was closed due to circumstances
32 beyond school district control, including inclement weather or fire.

33 5. (1) Except as otherwise provided in this subsection, in school year 2020-21 and
34 subsequent years, a district shall not be required to make up any hours of school lost or cancelled

35 due to exceptional or emergency circumstances during a school year if the district has an
36 alternative methods of instruction plan approved by the department of elementary and secondary
37 education for such school year. Exceptional or emergency circumstances shall include, but not
38 be limited to, inclement weather, a utility outage, or an outbreak of a contagious disease. The
39 department of elementary and secondary education shall not approve any such plan unless the
40 district demonstrates that the plan will not negatively impact teaching and learning in the district.

41 (2) If school is closed due to exceptional or emergency circumstances and the district has
42 an approved alternative methods of instruction plan, the district shall notify students and parents
43 on each day of the closure whether the alternative methods of instruction plan is to be
44 implemented for that day. If the plan is to be implemented on any day of the closure, the district
45 shall ensure that each student receives assignments for that day in hard copy form or receives
46 instruction through virtual learning or another method of instruction.

47 (3) A district with an approved alternative methods of instruction plan shall not use
48 alternative methods of instruction as provided for in the plan for more than thirty-six hours
49 during a school year. A district that has used such alternative methods of instruction for thirty-
50 six hours during a school year shall be required, notwithstanding subsections 2 and 3 of this
51 section, to make up any subsequent hours of school lost or cancelled due to exceptional or
52 emergency circumstances during such school year.

53 (4) The department of elementary and secondary education shall give districts with
54 approved alternative methods of instruction plans credit for the hours in which they use
55 alternative methods of instruction by considering such hours as hours in which school was
56 actually in session.

57 (5) Any district wishing to use alternative methods of instruction under this subsection
58 shall submit an application to the department of elementary and secondary education. The
59 application shall describe:

60 (a) The manner in which the district intends to strengthen and reinforce instructional
61 content while supporting student learning outside the classroom environment;

62 (b) The process the district intends to use to communicate to students and parents the
63 decision to implement alternative methods of instruction on any day of a closure;

64 (c) The manner in which the district intends to communicate the purpose and
65 expectations for a day in which alternative methods of instruction will be implemented to
66 students and parents;

67 (d) The assignments and materials to be used within the district for days in which
68 alternative methods of instruction will be implemented to effectively facilitate teaching and
69 support learning for the benefit of the students;

70 (e) The manner in which student attendance will be determined for a day in which
71 alternative methods of instruction will be implemented. The method chosen shall be linked to
72 completion of lessons and activities;

73 (f) The instructional methods, which shall include instruction through electronic means
74 and instruction through other means for students who have no access to internet services or a
75 computer;

76 (g) Instructional plans for students with individualized education programs; and

77 (h) The role and responsibility of certified personnel to be available to communicate with
78 students.

79 6. ~~[For the 2018-19 school year, a district shall be exempt from the requirements of~~
80 ~~subsections 2 and 3 of this section, and only be required to make up the first six days of school~~
81 ~~lost or cancelled due to inclement weather]~~ **In the 2021-22 school year and subsequent years,**
82 **a school district's one-half-day education programs shall be subject to the following**
83 **provisions in proportions appropriate for a one-half-day education program, as applicable:**

84 (1) **Requirements in subsection 2 of this section to make up days or hours of school**
85 **lost or cancelled because of inclement weather;**

86 (2) **Exemptions in subsection 3 of this section;**

87 (3) **Waiver provisions in subsection 4 of this section; and**

88 (4) **Approved alternative methods of instruction provisions in subsection 5 of this**
89 **section.**

173.035. 1. The department of higher education and workforce development shall
2 develop, maintain, and operate a website containing information of public ~~[and private]~~
3 institutions of higher education **and vocational schools** in this state directing students to
4 resources including, but not limited to, academic programs, financial aid, ~~[and]~~ how academic
5 course credit may be transferred from one institution of higher education to another, **and**
6 **information reported under section 161.625. The department may post information from**
7 **a private institution of higher education if the private institution desires to report**
8 **information as provided in this section or the department is authorized by any other state**
9 **law to post the private institution's information on the website.** The information on the
10 website shall be made available to the public and shall be accessible from various devices
11 including, but not limited to, computers, tablets, and other electronic communication devices.

12 2. ~~[Inclusion of institution information on the website is voluntary, and institutions of~~
13 ~~higher education may elect to have institutional information included on the website by notifying~~
14 ~~the department of higher education and workforce development]~~ **Public institutions of higher**
15 **education and vocational schools shall, and private institutions of higher education may,**

16 **report all information listed in this section and any other information required by the**
17 **department for posting on the website.**

18 3. The department of higher education and workforce development may promulgate all
19 necessary rules and regulations for the administration of this section. Any rule or portion of a
20 rule, as that term is defined in section 536.010, that is created under the authority delegated in
21 this section shall become effective only if it complies with and is subject to all of the provisions
22 of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
23 nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536
24 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held
25 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
26 August 28, 2016, shall be invalid and void.

173.1003. 1. Beginning with the 2008-09 academic year, each approved public
2 institution, as such term is defined in section 173.1102, shall submit its percentage change in the
3 amount of tuition from the current academic year compared to the upcoming academic year to
4 the coordinating board for higher education by July first preceding such academic year.

5 2. For institutions whose tuition is greater than the average tuition, the percentage change
6 in tuition shall not exceed the percentage change of the consumer price index plus a percentage
7 of not more than five percent that would produce an increase in net tuition revenue no greater
8 than the dollar amount by which the state operating support was reduced for the prior fiscal year,
9 if applicable.

10 3. For institutions whose tuition is less than the average tuition, the dollar increase in
11 tuition shall not exceed the product of the percentage change of the consumer price index times
12 the average tuition, plus a percentage of not more than five percent that would produce an
13 increase in net tuition revenue no greater than the dollar amount by which the state operating
14 support was reduced for the prior fiscal year, if applicable.

15 4. If a tuition increase exceeds the limits set forth in subsection 2 or 3 of this section,
16 then the institution shall be subject to the provisions of subsection 5 of this section.

17 5. Any institution that exceeds the limits set forth in subsection 2 or 3 of this section
18 shall remit to the board an amount equal to five percent of its current year state operating support
19 amount which shall be deposited into the general revenue fund unless the institution appeals,
20 within thirty days of such notice, to the commissioner of higher education for a waiver of this
21 provision. The commissioner, after meeting with appropriate representatives of the institution,
22 shall determine whether the institution's waiver request is sufficiently warranted, in which case
23 no fund remission shall occur. In making this determination, the factors considered by the
24 commissioner shall include but not be limited to the relationship between state appropriations
25 and the consumer price index and any extraordinary circumstances. If the commissioner

26 determines that an institution's tuition percent increase is not sufficiently warranted and declines
27 the waiver request, the commissioner shall recommend to the full coordinating board that the
28 institution shall remit an amount up to five percent of its current year state operating
29 appropriation to the board, which shall deposit the amount into the general revenue fund. The
30 coordinating board shall have the authority to make a binding and final decision, by means of
31 a majority vote, regarding the matter.

32 6. The provisions of subsections 2 to 5 of this section shall not apply to any community
33 college unless any such community college's tuition for any Missouri resident is greater than or
34 equal to the average tuition. If the provisions of subsections 2 to 5 of this section apply to a
35 community college, subsections 2 to 5 of this section shall only apply to out-of-district Missouri
36 resident tuition.

37 7. For purposes of this section, the term "average tuition" shall be the sum of the tuition
38 amounts for the previous academic year for each approved public institution that is not excluded
39 under subsection 6 of this section, divided by the number of such institutions. The term
40 "consumer price index" shall mean the Consumer Price Index for All Urban Consumers (CPI-U),
41 1982-1984 = 100, not seasonally adjusted, as defined and officially recorded by the United States
42 Department of Labor, or its successor agency, from January first of the current year compared
43 to January first of the preceding year. The term "state appropriation" shall mean the state
44 operating appropriation for the prior year per full-time equivalent student for the prior year
45 compared to state operating appropriation for the current year per full-time equivalent student
46 for the prior year. The term "tuition" shall mean the amount of tuition and required fees,
47 excluding any fee established by the student body of the institution, charged to a Missouri
48 resident undergraduate enrolled in fifteen credit hours at the institution. The term "state
49 operating support" shall mean the funding actually disbursed from state operating appropriations
50 to approved public institutions and shall not include appropriations or disbursement for special
51 initiatives or specific program additions or expansions. The term "net tuition revenue" shall
52 mean the net amount of resident undergraduate tuition and required fees reduced by institutional
53 aid only. "Institutional aid" includes all aid awarded to the student by the student's institution
54 of higher education only from such institution's funds. Institutional aid does not include the
55 following: Pell Grants; state awards such as the Missouri higher education academic scholarship
56 program, the A+ schools program, and the access Missouri financial aid program; foundation
57 scholarships; third-party scholarships; employee and dependent fee waivers; and student loans.

58 8. Nothing in this section shall be construed to usurp or preclude the ability of the
59 governing board of an institution of higher education to establish tuition or required fee rates.

60 **9. Subsections 2 to 6 shall not apply to any approved public institution, as such**
61 **term is defined in section 173.1102, or to any community college in any academic year**
62 **beginning on or after July 1, 2022.**

63 **10. When an approved public institution, as such term is defined in section**
64 **173.1102, utilizes differentiated tuition, the public institution will notify the department of**
65 **higher education and workforce development of the institution's decision and will, at the**
66 **point of implementation, no longer utilize required course fees. Course fees may still be**
67 **utilized by any public institution until such decision is formally announced to the**
68 **department and implemented.**

 174.453. 1. Except as provided in section 174.450, the board of governors shall be
2 appointed as follows:

3 (1) Five voting members shall be selected from the counties comprising the institution's
4 historic statutory service region as described in section 174.010, except that no more than two
5 members shall be appointed from any one county with a population of less than two hundred
6 thousand inhabitants;

7 (2) Two voting members shall be selected from any of the counties in the state which are
8 outside of the institution's historic service region; and

9 (3) One nonvoting member who is a student shall be selected in the same manner as
10 prescribed in section 174.055.

11 2. The term of service of the governors shall be as follows:

12 (1) The voting members shall be appointed for terms of six years; and

13 (2) The nonvoting student member shall serve a two-year term.

14 3. Members of any board of governors selected pursuant to this section and in office on
15 May 13, 1999, shall serve the remainder of their unexpired terms.

16 4. Notwithstanding the provisions of subsection 1 of this section, the board of governors
17 of Missouri Southern State University shall be appointed as follows:

18 (1) Six voting members shall be selected from any of the following counties: Barton,
19 Jasper, Newton, McDonald, Dade, Lawrence, and Barry provided that no more than three of
20 these six members shall be appointed from any one county;

21 (2) Two voting members shall be selected from any of the counties in the state which are
22 outside of the counties articulated in subdivision (1) of this subsection;

23 (3) One nonvoting member who is a student shall be selected in the same manner as
24 prescribed in section 174.055; and

25 (4) The provisions of subdivisions (1) and (2) of this subsection shall only apply to board
26 members first appointed after August 28, 2004.

27 5. Notwithstanding the provisions of subsection 1 of this section, the board of governors
28 of Missouri Western State University shall be **composed of eight members** appointed as
29 follows:

30 (1) Five voting members shall be selected from any of the following counties:
31 Buchanan, Platte, Clinton, Andrew, and DeKalb [~~provided that no more than three of these five~~
32 ~~members shall be appointed from any one county~~];

33 (2) [~~Two voting members shall be selected from any of the counties in the state which~~
34 ~~are outside of the counties articulated in subdivision (1) of this subsection~~];

35 ~~—(3)~~ One nonvoting member who is a student shall be selected in the same manner as
36 prescribed in section 174.055; and

37 ~~[(4)]~~ (3) The provisions of [~~subdivisions (1) and (2)~~] **subdivision (1)** of this subsection
38 shall only apply to board members first appointed after August 28, 2005.

178.890. 1. If the area of an entire school district which adjoins a community college
2 district organized pursuant to sections 178.770 to 178.890 desires to be attached thereto and
3 become a part of the community college district it may do so in the manner provided for
4 annexation pursuant to section 162.441. If the area of an entire school district which adjoins a
5 district offering a two-year college course pursuant to section 178.370 on October 13, 1961, and
6 receiving aid pursuant to section 163.191, desires to be attached thereto for community college
7 purposes only, the annexation shall be completed pursuant to section 162.441 and upon the
8 annexation, a special community college district shall be established in the entire area as
9 provided in sections 178.770 to 178.890, and notice thereof shall be given to the state board of
10 education. The state board of education, within sixty days, shall call a special election for the
11 election of trustees to be conducted in the manner provided in section 178.820.

12 2. If the entire area of a school district not adjoining or contiguous with an established
13 and existing community college district organized pursuant to sections 178.770 to 178.890
14 desires to become part of such an established and existing community college district which lies
15 in whole or in part in a county which is either:

16 (1) Adjacent to the county in which the school district lies in whole or in part; or

17 (2) Adjacent to a county which does not have a public four-year open enrollment college
18 or university, which is adjacent to the county in which the school district lies in whole or in part,
19 such school district may do so in the manner provided for annexation pursuant to section 162.441
20 and in such instances, it shall not be required that such school district be adjacent to or adjoin
21 such a community college district, and the subdistrict or subdistricts in the area comprising the
22 petitioning school district need not be contiguous with the subdistricts of the receiving
23 community college district.

24 3. If the board of trustees of the receiving district rejects the petition for annexation, the
25 state board of education may be petitioned for a hearing and upon receipt of the petition the state
26 board shall establish the time and place and proceed to a hearing. If the state board of education
27 finds that refusal to honor the petition for annexation has been made without good cause, the
28 state board in its discretion may withhold a portion or all of the state aid from the district which
29 is payable pursuant to the provisions of section 163.191.

30 **4. Notwithstanding any provision of law to the contrary, any school district which**
31 **lies in whole or in part in any county of the first classification with more than eighty-three**
32 **thousand but fewer than ninety-two thousand inhabitants and with a home rule city with**
33 **more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the**
34 **county seat shall be part of the community college district of which the majority of school**
35 **districts lying in whole or in part in any county of the third classification with a township**
36 **form of government and with more than ten thousand but fewer than twelve thousand**
37 **inhabitants are part.**

186.080. 1. There is hereby established within the department of elementary and
2 **secondary education the "Literacy Advisory Council", which shall be composed of at least**
3 **fifteen and no more than twenty members to be appointed by the commissioner of**
4 **education. The members of the council shall include at least:**

- 5 **(1) One public school board member;**
- 6 **(2) One charter school representative;**
- 7 **(3) One public school district superintendent;**
- 8 **(4) One elementary or secondary school principal;**
- 9 **(5) Three teachers with expertise in reading instruction, including at least one**
10 **teacher selected by each of the three largest statewide teacher organizations, and each of**
11 **whom shall either be certified by the Center for Effective Reading Instruction or have**
12 **completed all levels of the Language Essentials for Teachers of Reading and Spelling**
13 **training program;**
- 14 **(6) One special education teacher;**
- 15 **(7) One parent of an elementary or secondary school student who has been**
16 **diagnosed with dyslexia;**
- 17 **(8) One representative from Decoding Dyslexia Missouri;**
- 18 **(9) One representative from an institution of postsecondary education that offers**
19 **approved teacher preparation programs;**
- 20 **(10) One representative from an independent private provider or nonprofit**
21 **organization serving individuals with dyslexia;**

22 **(11) One representative from the Missouri branch of the International Dyslexia**
23 **Association;**

24 **(12) One certified academic language therapist recommended by the Academic**
25 **Language Therapy Association who is a resident of this state;**

26 **(13) One professional with experience diagnosing dyslexia, such as a school**
27 **psychologist or neuropsychologist, who is licensed under chapter 337; and**

28 **(14) One dyslexia specialist from the department of elementary and secondary**
29 **education.**

30 **2. The advisory council shall meet biannually to review best practices in literacy**
31 **instruction and related policies.**

32 **3. The advisory council shall periodically provide recommendations to the**
33 **commissioner and the state board of education regarding any identified improvements to**
34 **literacy instruction and policy for elementary and secondary students. The**
35 **recommendations may include recommendations for changes to state law, and the**
36 **commissioner shall furnish any such recommendations to the joint committee on education.**

37 **4. The department of elementary and secondary education, in conjunction with the**
38 **advisory council, shall identify and create a list of approved materials, resources, and**
39 **curriculum programs for public school districts and charter schools. A school district or**
40 **charter school may use materials, resources, or curriculum programs from such list.**
41 **However, a school district or charter school may use alternative materials, resources, or**
42 **curriculum programs, which may not be on the department's list, as long as such materials,**
43 **resources, or curriculum programs comply with the requirements set forth in sections**
44 **167.268 and 167.645.**

209.610. 1. The board may enter into ABLE program participation agreements with
2 participants on behalf of designated beneficiaries pursuant to the provisions of sections 209.600
3 to 209.645, including the following terms and conditions:

4 (1) A participation agreement shall stipulate the terms and conditions of the ABLE
5 program in which the participant makes contributions;

6 (2) A participation agreement shall specify the method for calculating the return on the
7 contribution made by the participant;

8 (3) A participation agreement shall clearly and prominently disclose to participants the
9 risk associated with depositing moneys with the board;

10 (4) Participation agreements shall be organized and presented in a way and with
11 language that is easily understandable by the general public; and

12 (5) A participation agreement shall clearly and prominently disclose to participants the
 13 existence of any load charge or similar charge assessed against the accounts of the participants
 14 for administration or services.

15 2. The board shall establish the maximum amount of contributions which may be made
 16 annually to an ABLE account, which shall be the same as the amount allowed by 26 U.S.C.
 17 Section 529A of the Internal Revenue Code of 1986, as amended.

18 3. The board shall establish a total contribution limit for savings accounts established
 19 under the ABLE program with respect to a designated beneficiary which shall in no event be less
 20 than the amount established as the contribution limit by the Missouri education ~~[savings]~~
 21 program board for qualified tuition ~~[savings]~~ programs established under sections 166.400 to
 22 ~~[166.450]~~ **166.456**. No contribution shall be made to an ABLE account for a designated
 23 beneficiary if it would cause the balance of the ABLE account of the designated beneficiary to
 24 exceed the total contribution limit established by the board. The board may establish other
 25 requirements that it deems appropriate to provide adequate safeguards to prevent contributions
 26 on behalf of a designated beneficiary from exceeding what is necessary to provide for the
 27 qualified disability expenses of the designated beneficiary.

28 4. The board shall establish the minimum length of time that contributions and earnings
 29 must be held by the ABLE program to qualify as tax exempt pursuant to section 209.625. Any
 30 contributions or earnings that are withdrawn or distributed from an ABLE account prior to the
 31 expiration of the minimum length of time, as established by the board, shall be subject to a
 32 penalty pursuant to section 209.620.

210.201. As used in sections 210.201 to 210.257, the following terms mean:

- 2 (1) "Child", an individual who is under the age of seventeen;
- 3 (2) "Child care", care of a child away from ~~[his or her]~~ **the child's** home for any part of
 4 the twenty-four-hour day for compensation or otherwise. "Child care" is a voluntary supplement
 5 to parental responsibility for the child's protection, development, and supervision;
- 6 (3) "Child-care facility" or "child care facility", a house or other place conducted or
 7 maintained by any person who advertises or holds ~~[himself or herself]~~ **oneself** out as providing
 8 child care for any part of the twenty-four-hour day for compensation or otherwise if providing
 9 child care to more than:
- 10 (a) Six children; or
- 11 (b) Three children under two years of age;
- 12 (4) "Child care provider" or "provider", the person or persons licensed or required to be
 13 licensed under section 210.221 to establish, conduct, or maintain a child care facility;
- 14 (5) "Montessori school", a child care program that ~~[subscribes to Maria Montessori's~~
 15 ~~educational philosophy and that is accredited by the American Montessori Society or the~~

16 ~~Association Montessori Internationale]~~ **is either accredited by, actively seeking accreditation**
 17 **by, or maintains an active school membership with the American Montessori Society, the**
 18 **Association Montessori Internationale, the International Montessori Counsel, or the**
 19 **Montessori Educational Programs International;**

20 (6) "Neighborhood youth development program", as described in section 210.278;

21 (7) "Nursery school", a program operated by a person or an organization with the primary
 22 function of providing an educational program for preschool-age children for no more than four
 23 hours per day per child;

24 (8) "Person", any individual, firm, corporation, partnership, association, agency, or an
 25 incorporated or unincorporated organization regardless of the name used;

26 (9) "Religious organization", a church, synagogue, or mosque; an entity that has or
 27 would qualify for federal tax-exempt status as a nonprofit religious organization under Section
 28 501(c) of the Internal Revenue Code; or an entity whose real estate on which the child-care
 29 facility is located is exempt from taxation because it is used for religious purposes;

30 (10) "School system", a program established primarily for education and that meets the
 31 following criteria:

32 (a) Provides education in at least the first to the sixth grade; and

33 (b) Provides evidence that the school system's records will be accepted by a public or
 34 private school for the transfer of any student;

35 (11) "Summer camp", a program operated from May to September by a person or
 36 organization with the primary function of providing a summer recreational program for children
 37 five years of age or older and providing no child care for children under five years of age in the
 38 same building or in the same outdoor play area.

513.430. 1. The following property shall be exempt from attachment and execution to
 2 the extent of any person's interest therein:

3 (1) Household furnishings, household goods, wearing apparel, appliances, books,
 4 animals, crops or musical instruments that are held primarily for personal, family or household
 5 use of such person or a dependent of such person, not to exceed three thousand dollars in value
 6 in the aggregate;

7 (2) A wedding ring not to exceed one thousand five hundred dollars in value and other
 8 jewelry held primarily for the personal, family or household use of such person or a dependent
 9 of such person, not to exceed five hundred dollars in value in the aggregate;

10 (3) Any other property of any kind, not to exceed in value six hundred dollars in the
 11 aggregate;

12 (4) Any implements or professional books or tools of the trade of such person or the
13 trade of a dependent of such person not to exceed three thousand dollars in value in the
14 aggregate;

15 (5) Any motor vehicles, not to exceed three thousand dollars in value in the aggregate;

16 (6) Any mobile home used as the principal residence but not attached to real property
17 in which the debtor has a fee interest, not to exceed five thousand dollars in value;

18 (7) Any one or more unmaturred life insurance contracts owned by such person, other
19 than a credit life insurance contract, and up to fifteen thousand dollars of any matured life
20 insurance proceeds for actual funeral, cremation, or burial expenses where the deceased is the
21 spouse, child, or parent of the beneficiary;

22 (8) The amount of any accrued dividend or interest under, or loan value of, any one or
23 more unmaturred life insurance contracts owned by such person under which the insured is such
24 person or an individual of whom such person is a dependent; provided, however, that if
25 proceedings under Title 11 of the United States Code are commenced by or against such person,
26 the amount exempt in such proceedings shall not exceed in value one hundred fifty thousand
27 dollars in the aggregate less any amount of property of such person transferred by the life
28 insurance company or fraternal benefit society to itself in good faith if such transfer is to pay a
29 premium or to carry out a nonforfeiture insurance option and is required to be so transferred
30 automatically under a life insurance contract with such company or society that was entered into
31 before commencement of such proceedings. No amount of any accrued dividend or interest
32 under, or loan value of, any such life insurance contracts shall be exempt from any claim for
33 child support. Notwithstanding anything to the contrary, no such amount shall be exempt in such
34 proceedings under any such insurance contract which was purchased by such person within one
35 year prior to the commencement of such proceedings;

36 (9) Professionally prescribed health aids for such person or a dependent of such person;

37 (10) Such person's right to receive:

38 (a) A Social Security benefit, unemployment compensation or a public assistance
39 benefit;

40 (b) A veteran's benefit;

41 (c) A disability, illness or unemployment benefit;

42 (d) Alimony, support or separate maintenance, not to exceed seven hundred fifty dollars
43 a month;

44 (e) **a.** Any payment under a stock bonus plan, pension plan, disability or death benefit
45 plan, profit-sharing plan, nonpublic retirement plan or any plan described, defined, or established
46 pursuant to section 456.014, the person's right to a participant account in any deferred
47 compensation program offered by the state of Missouri or any of its political subdivisions, or

48 annuity or similar plan or contract on account of illness, disability, death, age or length of
49 service, to the extent reasonably necessary for the support of such person and any dependent of
50 such person unless:

51 ~~[a-]~~ (i) Such plan or contract was established by or under the auspices of an insider that
52 employed such person at the time such person's rights under such plan or contract arose;

53 ~~[b-]~~ (ii) Such payment is on account of age or length of service; and

54 ~~[c-]~~ (iii) Such plan or contract does not qualify under Section 401(a), 403(a), 403(b), 408,
55 408A or 409 of the Internal Revenue Code of 1986, as amended, (26 U.S.C. Section 401(a),
56 403(a), 403(b), 408, 408A or 409)[;] .

57 ~~[except that]~~ **b. Notwithstanding the exemption provided in subparagraph a. of this**
58 **paragraph**, any such payment to any person shall be subject to attachment or execution pursuant
59 to a qualified domestic relations order, as defined by Section 414(p) of the Internal Revenue
60 Code of 1986 (**26 U.S.C. Section 414(p)**), as amended, issued by a court in any proceeding for
61 dissolution of marriage or legal separation or a proceeding for disposition of property following
62 dissolution of marriage by a court which lacked personal jurisdiction over the absent spouse or
63 lacked jurisdiction to dispose of marital property at the time of the original judgment of
64 dissolution;

65 (f) Any money or assets, payable to a participant or beneficiary from, or any interest of
66 any participant or beneficiary in, a retirement plan, profit-sharing plan, health savings plan, or
67 similar plan, including an inherited account or plan, that is qualified under Section 401(a),
68 403(a), 403(b), 408, 408A or 409 of the Internal Revenue Code of 1986 (**26 U.S.C. Section**
69 **401(a), 403(a), 403(b), 408, 408A, or 409**), as amended, whether such participant's or
70 beneficiary's interest arises by inheritance, designation, appointment, or otherwise, except as
71 provided in this paragraph. Any plan or arrangement described in this paragraph shall not be
72 exempt from the claim of an alternate payee under a qualified domestic relations order; however,
73 the interest of any and all alternate payees under a qualified domestic relations order shall be
74 exempt from any and all claims of any creditor, other than the state of Missouri through its
75 department of social services. As used in this paragraph, the terms "alternate payee" and
76 "qualified domestic relations order" have the meaning given to them in Section 414(p) of the
77 Internal Revenue Code of 1986 (**26 U.S.C. Section 414(p)**), as amended. If proceedings under
78 Title 11 of the United States Code are commenced by or against such person, no amount of funds
79 shall be exempt in such proceedings under any such plan, contract, or trust which is fraudulent
80 as defined in subsection 2 of section 428.024 and for the period such person participated within
81 three years prior to the commencement of such proceedings. For the purposes of this section,
82 when the fraudulently conveyed funds are recovered and after, such funds shall be deducted and
83 then treated as though the funds had never been contributed to the plan, contract, or trust;

84 (11) The debtor's right to receive, or property that is traceable to, a payment on account
85 of the wrongful death of an individual of whom the debtor was a dependent, to the extent
86 reasonably necessary for the support of the debtor and any dependent of the debtor;

87 (12) Firearms, firearm accessories, and ammunition, not to exceed one thousand five
88 hundred dollars in value in the aggregate;

89 **(13) Any moneys accruing to and deposited in individual savings accounts or**
90 **individual deposit accounts under sections 166.400 to 166.456 or sections 166.500 to**
91 **166.529, or ABLE accounts established under sections 209.600 to 209.645 subject to the**
92 **following provisions:**

93 **(a) This subdivision shall apply to any proceeding that:**

94 **a. Is filed on or after January 1, 2021; or**

95 **b. Was filed before January 1, 2021, and is pending on or on appeal after January**
96 **1, 2021;**

97 **(b) Except as provided by paragraph (c) of this subdivision, if the designated**
98 **beneficiary of an individual savings account or individual deposit account established**
99 **under sections 166.400 to 166.456 or sections 166.500 to 166.529 or of an ABLE account**
100 **established under sections 209.600 to 209.645 is a lineal descendant of the account owner,**
101 **all moneys in the account shall be exempt from any claims of creditors of the account**
102 **owner or designated beneficiary;**

103 **(c) The provisions of paragraph (b) of this subdivision shall not apply to:**

104 **a. Claims of any creditor of an account owner as to amounts contributed within a**
105 **two-year period preceding the date of the filing of a bankruptcy petition under 11 U.S.C.**
106 **Section 101 et seq., as amended; or**

107 **b. Claims of any creditor of an account owner as to amounts contributed within a**
108 **one-year period preceding an execution on judgment for such claims against the account**
109 **owner.**

110 2. Nothing in this section shall be interpreted to exempt from attachment or execution
111 for a valid judicial or administrative order for the payment of child support or maintenance any
112 money or assets, payable to a participant or beneficiary from, or any interest of any participant
113 or beneficiary in, a retirement plan which is qualified pursuant to Sections 408 and 408A of the
114 Internal Revenue Code of 1986 (**26 U.S.C. Sections 408 and 408A**), as amended.

Section B. Because immediate action is necessary to provide individualized care for
2 students with epilepsy or seizure disorders and individualized educational plans for children with
3 special needs who attend public schools and because of the need to preserve safe and adequate
4 access to educational opportunities for Missouri children, the enactment of sections 162.686 and
5 167.625 and the repeal and reenactment of section 210.201 of this act are deemed necessary for

6 the immediate preservation of the public health, welfare, peace, and safety, and are hereby
7 declared to be an emergency act within the meaning of the constitution, and the enactment of
8 sections 162.686 and 167.625 and the repeal and reenactment of section 210.201 of this act shall
9 be in full force and effect upon its passage and approval.

Section C. The repeal and reenactment of section 169.596 of this act shall become
2 effective on January 1, 2022, and the repeal and reenactment of sections 167.645 and 167.903
3 of this act shall become effective on July 1, 2022.

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