

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 1750

101ST GENERAL ASSEMBLY

3297H.03P

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 37.850, 160.261, 162.261, 162.281, 162.291, 162.471, 162.481, 162.491, 162.720, 162.961, 162.974, 167.151, 168.021, 168.205, 171.033, 302.010, and 304.060, RSMo, and to enact in lieu thereof twenty-four new sections relating to elementary and secondary education, with a penalty provision and an emergency clause for a certain section.

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

Section A. Sections 37.850, 160.261, 162.261, 162.281, 162.291, 162.471, 162.481, 162.491, 162.720, 162.961, 162.974, 167.151, 168.021, 168.205, 171.033, 302.010, and 304.060, RSMo, are repealed and twenty-four new sections enacted in lieu thereof, to be known as sections 37.850, 160.261, 160.565, 161.214, 162.058, 162.261, 162.281, 162.291, 162.471, 162.481, 162.491, 162.563, 162.720, 162.961, 162.974, 167.151, 168.021, 168.036, 168.037, 168.205, 170.025, 171.033, 302.010, and 304.060, to read as follows:

37.850. 1. The commissioner of administration shall maintain the Missouri accountability portal established in executive order 07-24 as a free, internet-based tool allowing citizens to demand fiscal discipline and responsibility.

2. The Missouri accountability portal shall consist of an easy-to-search database of financial transactions related to:

(1) The purchase of goods and services and the distribution of funds for state programs;

(2) All bonds issued by any public institution of higher education, **public school districts**, or political subdivision of this state or its designated authority after August 28, 2013;

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.

11 (3) All obligations issued or incurred pursuant to section 99.820 by any political
12 subdivision of this state or its designated authority; ~~and]~~

13 (4) The revenue stream pledged to repay such bonds or obligations;

14 (5) **All forms of compensation and benefits paid to or on behalf of public**
15 **employees including employees of political subdivisions, public institutions of higher**
16 **education, public school districts, and public charter schools;** and

17 (6) All debt incurred by any public charter school.

18 3. The Missouri accountability portal shall be updated each state business day and
19 maintained as the primary source of information about the activity of Missouri's government.

20 4. Upon the conducting of a withholding or a release of funds, the governor shall
21 submit a report stating all amounts withheld from the state's operating budget for the current
22 fiscal year, as authorized by Article IV, Section 27 of the Missouri Constitution which shall
23 be:

24 (1) Conspicuously posted on the accountability portal website;

25 (2) Searchable by the amounts withheld or released from each individual fund; and

26 (3) Searchable by the total amount withheld or released from the operating budget.

27 5. Every political subdivision of the state, including public institutions of higher
28 education ~~[but excluding]~~, **public school districts, and public charter schools** shall supply
29 all information described in **subdivisions (2) and (4)** of subsection 2 of this section to the
30 office of administration within seven days of issuing or incurring such corresponding bond or
31 obligation. ~~[For all such bonds or obligations issued or incurred prior to August 28, 2013,~~
32 ~~every such political subdivision and public institution of higher education shall have ninety~~
33 ~~days to supply such information to the office of administration.]~~

34 6. Every school district and public charter school shall supply all information
35 described in **subdivisions (2), (4), (5), and (6)** of subsection 2 of this section to the
36 department of elementary and secondary education ~~[within seven days of issuing such bond,~~
37 ~~or incurring such debt]~~. The department of elementary and secondary education shall have
38 forty-eight hours to deliver such information to the office of administration. ~~[For all such~~
39 ~~bonds issued or debt incurred prior to August 28, 2013, every school district and public~~
40 ~~charter school shall have ninety days to supply such information to the department of~~
41 ~~elementary and secondary education. The department of elementary and secondary education~~
42 ~~shall have forty-eight hours to deliver such information to the office of administration.]~~

160.261. 1. The local board of education of each school district shall clearly establish
2 a written policy of discipline, including the district's determination on the use of corporal
3 punishment and the procedures in which punishment will be applied. A written copy of the
4 district's discipline policy and corporal punishment procedures, if applicable, shall be
5 provided to the pupil and parent or legal guardian of every pupil enrolled in the district at the

6 beginning of each school year and also made available in the office of the superintendent of
7 such district, during normal business hours, for public inspection. **No pupil shall be subject**
8 **to corporal punishment procedures outlined in the discipline and corporal punishment**
9 **policy without a parent or guardian being notified and providing written permission for**
10 **the corporal punishment.** All employees of the district shall annually receive instruction
11 related to the specific contents of the policy of discipline and any interpretations necessary to
12 implement the provisions of the policy in the course of their duties, including but not limited
13 to approved methods of dealing with acts of school violence, disciplining students with
14 disabilities and instruction in the necessity and requirements for confidentiality.

15 2. The policy shall require school administrators to report acts of school violence to
16 all teachers at the attendance center and, in addition, to other school district employees with a
17 need to know. For the purposes of this chapter or chapter 167, "need to know" is defined as
18 school personnel who are directly responsible for the student's education or who otherwise
19 interact with the student on a professional basis while acting within the scope of their
20 assigned duties. As used in this section, the phrase "act of school violence" or "violent
21 behavior" means the exertion of physical force by a student with the intent to do serious
22 physical injury as defined in section 556.061 to another person while on school property,
23 including a school bus in service on behalf of the district, or while involved in school
24 activities. The policy shall at a minimum require school administrators to report, as soon as
25 reasonably practical, to the appropriate law enforcement agency any of the following crimes,
26 or any act which if committed by an adult would be one of the following crimes:

- 27 (1) First degree murder under section 565.020;
28 (2) Second degree murder under section 565.021;
29 (3) Kidnapping under section 565.110 as it existed prior to January 1, 2017, or
30 kidnapping in the first degree under section 565.110;
31 (4) First degree assault under section 565.050;
32 (5) Rape in the first degree under section 566.030;
33 (6) Sodomy in the first degree under section 566.060;
34 (7) Burglary in the first degree under section 569.160;
35 (8) Burglary in the second degree under section 569.170;
36 (9) Robbery in the first degree under section 569.020 as it existed prior to January 1,
37 2017, or robbery in the first degree under section 570.023;
38 (10) Distribution of drugs under section 195.211 as it existed prior to January 1, 2017,
39 or manufacture of a controlled substance under section 579.055;
40 (11) Distribution of drugs to a minor under section 195.212 as it existed prior to
41 January 1, 2017, or delivery of a controlled substance under section 579.020;
42 (12) Arson in the first degree under section 569.040;

- 43 (13) Voluntary manslaughter under section 565.023;
- 44 (14) Involuntary manslaughter under section 565.024 as it existed prior to January 1,
45 2017, involuntary manslaughter in the first degree under section 565.024, or involuntary
46 manslaughter in the second degree under section 565.027;
- 47 (15) Second degree assault under section 565.060 as it existed prior to January 1,
48 2017, or second degree assault under section 565.052;
- 49 (16) Rape in the second degree under section 566.031;
- 50 (17) Felonious restraint under section 565.120 as it existed prior to January 1, 2017,
51 or kidnapping in the second degree under section 565.120;
- 52 (18) Property damage in the first degree under section 569.100;
- 53 (19) The possession of a weapon under chapter 571;
- 54 (20) Child molestation in the first degree pursuant to section 566.067 as it existed
55 prior to January 1, 2017, or child molestation in the first, second, or third degree pursuant to
56 section 566.067, 566.068, or 566.069;
- 57 (21) Sodomy in the second degree pursuant to section 566.061;
- 58 (22) Sexual misconduct involving a child pursuant to section 566.083;
- 59 (23) Sexual abuse in the first degree pursuant to section 566.100;
- 60 (24) Harassment under section 565.090 as it existed prior to January 1, 2017, or
61 harassment in the first degree under section 565.090; or
- 62 (25) Stalking under section 565.225 as it existed prior to January 1, 2017, or stalking
63 in the first degree under section 565.225;
- 64
- 65 committed on school property, including but not limited to actions on any school bus in
66 service on behalf of the district or while involved in school activities. The policy shall require
67 that any portion of a student's individualized education program that is related to
68 demonstrated or potentially violent behavior shall be provided to any teacher and other
69 school district employees who are directly responsible for the student's education or who
70 otherwise interact with the student on an educational basis while acting within the scope of
71 their assigned duties. The policy shall also contain the consequences of failure to obey
72 standards of conduct set by the local board of education, and the importance of the standards
73 to the maintenance of an atmosphere where orderly learning is possible and encouraged.
- 74 3. The policy shall provide that any student who is on suspension for any of the
75 offenses listed in subsection 2 of this section or any act of violence or drug-related activity
76 defined by school district policy as a serious violation of school discipline pursuant to
77 subsection 9 of this section shall have as a condition of his or her suspension the requirement
78 that such student is not allowed, while on such suspension, to be within one thousand feet of

79 any school property in the school district where such student attended school or any activity
80 of that district, regardless of whether or not the activity takes place on district property unless:

81 (1) Such student is under the direct supervision of the student's parent, legal guardian,
82 or custodian and the superintendent or the superintendent's designee has authorized the
83 student to be on school property;

84 (2) Such student is under the direct supervision of another adult designated by the
85 student's parent, legal guardian, or custodian, in advance, in writing, to the principal of the
86 school which suspended the student and the superintendent or the superintendent's designee
87 has authorized the student to be on school property;

88 (3) Such student is enrolled in and attending an alternative school that is located
89 within one thousand feet of a public school in the school district where such student attended
90 school; or

91 (4) Such student resides within one thousand feet of any public school in the school
92 district where such student attended school in which case such student may be on the property
93 of his or her residence without direct adult supervision.

94 4. Any student who violates the condition of suspension required pursuant to
95 subsection 3 of this section may be subject to expulsion or further suspension pursuant to the
96 provisions of sections 167.161, 167.164, and 167.171. In making this determination
97 consideration shall be given to whether the student poses a threat to the safety of any child or
98 school employee and whether such student's unsupervised presence within one thousand feet
99 of the school is disruptive to the educational process or undermines the effectiveness of the
100 school's disciplinary policy. Removal of any pupil who is a student with a disability is subject
101 to state and federal procedural rights. This section shall not limit a school district's ability to:

102 (1) Prohibit all students who are suspended from being on school property or
103 attending an activity while on suspension;

104 (2) Discipline students for off-campus conduct that negatively affects the educational
105 environment to the extent allowed by law.

106 5. The policy shall provide for a suspension for a period of not less than one year, or
107 expulsion, for a student who is determined to have brought a weapon to school, including but
108 not limited to the school playground or the school parking lot, brought a weapon on a school
109 bus or brought a weapon to a school activity whether on or off of the school property in
110 violation of district policy, except that:

111 (1) The superintendent or, in a school district with no high school, the principal of the
112 school which such child attends may modify such suspension on a case-by-case basis; and

113 (2) This section shall not prevent the school district from providing educational
114 services in an alternative setting to a student suspended under the provisions of this section.

115 6. For the purpose of this section, the term "weapon" shall mean a firearm as defined
116 under 18 U.S.C. Section 921 and the following items, as defined in section 571.010: a
117 blackjack, a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas
118 gun, a knife, knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or
119 a switchblade knife; except that this section shall not be construed to prohibit a school board
120 from adopting a policy to allow a Civil War reenactor to carry a Civil War era weapon on
121 school property for educational purposes so long as the firearm is unloaded. The local board
122 of education shall define weapon in the discipline policy. Such definition shall include the
123 weapons defined in this subsection but may also include other weapons.

124 7. All school district personnel responsible for the care and supervision of students
125 are authorized to hold every pupil strictly accountable for any disorderly conduct in school or
126 on any property of the school, on any school bus going to or returning from school, during
127 school-sponsored activities, or during intermission or recess periods.

128 8. Teachers and other authorized district personnel in public schools responsible for
129 the care, supervision, and discipline of schoolchildren, including volunteers selected with
130 reasonable care by the school district, shall not be civilly liable when acting in conformity
131 with the established policies developed by each board, including but not limited to policies of
132 student discipline or when reporting to his or her supervisor or other person as mandated by
133 state law acts of school violence or threatened acts of school violence, within the course and
134 scope of the duties of the teacher, authorized district personnel or volunteer, when such
135 individual is acting in conformity with the established policies developed by the board.
136 Nothing in this section shall be construed to create a new cause of action against such school
137 district, or to relieve the school district from liability for the negligent acts of such persons.

138 9. Each school board shall define in its discipline policy acts of violence and any
139 other acts that constitute a serious violation of that policy. "Acts of violence" as defined by
140 school boards shall include but not be limited to exertion of physical force by a student with
141 the intent to do serious bodily harm to another person while on school property, including a
142 school bus in service on behalf of the district, or while involved in school activities. School
143 districts shall for each student enrolled in the school district compile and maintain records of
144 any serious violation of the district's discipline policy. Such records shall be made available
145 to teachers and other school district employees with a need to know while acting within the
146 scope of their assigned duties, and shall be provided as required in section 167.020 to any
147 school district in which the student subsequently attempts to enroll.

148 10. Spanking, when administered by certificated personnel and in the presence of a
149 witness who is an employee of the school district, or the use of reasonable force to protect
150 persons or property, when administered by personnel of a school district in a reasonable
151 manner in accordance with the local board of education's written policy of discipline, is not

152 abuse within the meaning of chapter 210. ~~[The provisions of sections 210.110 to 210.165~~
153 ~~notwithstanding, the children's division shall not have jurisdiction over or investigate any~~
154 ~~report of alleged child abuse arising out of or related to the use of reasonable force to protect~~
155 ~~persons or property when administered by personnel of a school district or any spanking~~
156 ~~administered in a reasonable manner by any certificated school personnel in the presence of a~~
157 ~~witness who is an employee of the school district pursuant to a written policy of discipline~~
158 ~~established by the board of education of the school district, as long as no allegation of sexual~~
159 ~~misconduct arises from the spanking or use of force.~~

160 ~~11. If a student reports alleged sexual misconduct on the part of a teacher or other~~
161 ~~school employee to a person employed in a school facility who is required to report such~~
162 ~~misconduct to the children's division under section 210.115, such person and the~~
163 ~~superintendent of the school district shall report the allegation to the children's division as~~
164 ~~set forth in section 210.115. Reports made to the children's division under this subsection~~
165 ~~shall be investigated by the division in accordance with the provisions of sections 210.145 to~~
166 ~~210.153 and shall not be investigated by the school district under subsections 12 to 20 of this~~
167 ~~section for purposes of determining whether the allegations should or should not be~~
168 ~~substantiated. The district may investigate the allegations for the purpose of making any~~
169 ~~decision regarding the employment of the accused employee.~~

170 ~~12.] 11. Upon receipt of any reports of child abuse by the children's division [other~~
171 ~~than reports provided under subsection 11 of this section,] pursuant to sections 210.110 to~~
172 ~~210.165 which allegedly involve personnel of a school district, the children's division shall~~
173 ~~notify the superintendent of schools of the district or, if the person named in the alleged~~
174 ~~incident is the superintendent of schools, the president of the school board of the school~~
175 ~~district where the alleged incident occurred.~~

176 ~~[13. If, after an initial investigation, the superintendent of schools or the president of~~
177 ~~the school board finds that the report involves an alleged incident of child abuse other than the~~
178 ~~administration of a spanking by certificated school personnel or the use of reasonable force to~~
179 ~~protect persons or property when administered by school personnel pursuant to a written~~
180 ~~policy of discipline or that the report was made for the sole purpose of harassing a public~~
181 ~~school employee, the superintendent of schools or the president of the school board shall~~
182 ~~immediately refer the matter back to the children's division and take no further action. In all~~
183 ~~matters referred back to the children's division, the division shall treat the report in the same~~
184 ~~manner as other reports of alleged child abuse received by the division.~~

185 ~~14. If the report pertains to an alleged incident which arose out of or is related to a~~
186 ~~spanking administered by certificated personnel or the use of reasonable force to protect~~
187 ~~persons or property when administered by personnel of a school district pursuant to a written~~
188 ~~policy of discipline or a report made for the sole purpose of harassing a public school~~

189 ~~employee, a notification of the reported child abuse shall be sent by the superintendent of~~
190 ~~schools or the president of the school board to the law enforcement in the county in which the~~
191 ~~alleged incident occurred.~~

192 ~~15. The report shall be jointly investigated by the law enforcement officer and the~~
193 ~~superintendent of schools or, if the subject of the report is the superintendent of schools, by a~~
194 ~~law enforcement officer and the president of the school board or such president's designee.~~

195 ~~16. The investigation shall begin no later than forty eight hours after notification from~~
196 ~~the children's division is received, and shall consist of, but need not be limited to,~~
197 ~~interviewing and recording statements of the child and the child's parents or guardian within~~
198 ~~two working days after the start of the investigation, of the school district personnel allegedly~~
199 ~~involved in the report, and of any witnesses to the alleged incident.~~

200 ~~17. The law enforcement officer and the investigating school district personnel shall~~
201 ~~issue separate reports of their findings and recommendations after the conclusion of the~~
202 ~~investigation to the school board of the school district within seven days after receiving notice~~
203 ~~from the children's division.~~

204 ~~18. The reports shall contain a statement of conclusion as to whether the report of~~
205 ~~alleged child abuse is substantiated or is unsubstantiated.~~

206 ~~19. The school board shall consider the separate reports referred to in subsection 17~~
207 ~~of this section and shall issue its findings and conclusions and the action to be taken, if any,~~
208 ~~within seven days after receiving the last of the two reports. The findings and conclusions~~
209 ~~shall be made in substantially the following form:~~

210 ~~(1) The report of the alleged child abuse is unsubstantiated. The law enforcement~~
211 ~~officer and the investigating school board personnel agree that there was not a preponderance~~
212 ~~of evidence to substantiate that abuse occurred;~~

213 ~~(2) The report of the alleged child abuse is substantiated. The law enforcement~~
214 ~~officer and the investigating school district personnel agree that the preponderance of~~
215 ~~evidence is sufficient to support a finding that the alleged incident of child abuse did occur;~~

216 ~~(3) The issue involved in the alleged incident of child abuse is unresolved. The law~~
217 ~~enforcement officer and the investigating school personnel are unable to agree on their~~
218 ~~findings and conclusions on the alleged incident.~~

219 ~~20. The findings and conclusions of the school board under subsection 19 of this~~
220 ~~section shall be sent to the children's division. If the findings and conclusions of the school~~
221 ~~board are that the report of the alleged child abuse is unsubstantiated, the investigation shall~~
222 ~~be terminated, the case closed, and no record shall be entered in the children's division central~~
223 ~~registry. If the findings and conclusions of the school board are that the report of the alleged~~
224 ~~child abuse is substantiated, the children's division shall report the incident to the prosecuting~~
225 ~~attorney of the appropriate county along with the findings and conclusions of the school~~

226 ~~district and shall include the information in the division's central registry. If the findings and~~
227 ~~conclusions of the school board are that the issue involved in the alleged incident of child~~
228 ~~abuse is unresolved, the children's division shall report the incident to the prosecuting~~
229 ~~attorney of the appropriate county along with the findings and conclusions of the school~~
230 ~~board, however, the incident and the names of the parties allegedly involved shall not be~~
231 ~~entered into the central registry of the children's division unless and until the alleged child~~
232 ~~abuse is substantiated by a court of competent jurisdiction.~~

233 ~~21. Any superintendent of schools, president of a school board or such person's~~
234 ~~designee or law enforcement officer who knowingly falsifies any report of any matter~~
235 ~~pursuant to this section or who knowingly withholds any information relative to any~~
236 ~~investigation or report pursuant to this section is guilty of a class A misdemeanor.~~

237 ~~22.]~~ **12.** In order to ensure the safety of all students, should a student be expelled for
238 bringing a weapon to school, violent behavior, or for an act of school violence, that student
239 shall not, for the purposes of the accreditation process of the Missouri school improvement
240 plan, be considered a dropout or be included in the calculation of that district's educational
241 persistence ratio.

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

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

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

7 **(a) Enrichment opportunities;**

8 **(b) Career readiness or employability skills opportunities including, but not**
9 **limited to, internships; preapprenticeships; or apprenticeships; or**

10 **(c) Any other approved educational opportunity;**

11 **(2) "Parent", a student's parent, guardian, or other person having control or**
12 **custody of such student;**

13 **(3) "Student", any child attending an elementary or secondary public school in**
14 **grades kindergarten through twelve.**

15 **3. Beginning with the 2023-24 school year, the state board of education and each**
16 **local school board shall routinely inform students and parents of the ability for students**
17 **to earn credit for participating in extended learning opportunities. Employees of the**
18 **state board of education and public schools may assist students and parents in**
19 **completing enrollment processes required for participating in approved extended**
20 **learning opportunities. No student or parent shall be required to obtain permission**
21 **from the student's school district or charter school to enroll in an extended learning**

22 **opportunity. Before participating in any extended learning opportunity, the student and**
23 **at least one parent shall sign an agreement detailing all program requirements in a form**
24 **developed by the state board of education.**

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

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

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

35 **(2) A list of entities that are eligible to submit applications to offer extended**
36 **learning opportunities including, but not limited to:**

37 **(a) Nonprofit organizations;**

38 **(b) Businesses with established locations;**

39 **(c) Trade associations; and**

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

42 **(3) A process for students and parents to request credit;**

43 **(4) Criteria that school districts and charter schools shall use to determine**
44 **whether a proposed extended learning opportunity shall be approved; and**

45 **(5) Criteria that school districts and charter schools shall use to award a**
46 **certificate of completion and credit for completing an extended learning opportunity**
47 **including, but not limited to, allowing a student to demonstrate competencies through**
48 **performance-based assessments and other methods independent of instructional time**
49 **and credit hours.**

50 **6. An entity approved by the state board of education to offer an extended**
51 **learning opportunity shall be automatically qualified to offer that extended learning**
52 **opportunity to all school districts and charter schools.**

53 **7. A student who successfully completes an approved extended learning**
54 **opportunity and satisfies criteria for the award of a certification of completion and**
55 **credit under subdivision (5) of subsection 5 of this section shall be considered to have**
56 **completed all required coursework for the particular course. In an extended learning**
57 **opportunity that satisfies all required coursework for a high school course, the student**

58 shall also be considered to have satisfied the equivalent number of credits toward the
59 student's graduation requirements.

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

64 9. The state board of education may promulgate rules to implement the
65 provisions of this section. Any rule or portion of a rule, as that term is defined in section
66 536.010, that is created under the authority delegated in this section shall become
67 effective only if it complies with and is subject to all of the provisions of chapter 536 and,
68 if applicable, section 536.028. This section and chapter are nonseverable, and if any of
69 the powers vested with the general assembly pursuant to chapter 536 to review, to delay
70 the effective date, or to disapprove and annul a rule are subsequently held
71 unconstitutional, then the grant of rulemaking authority and any rule proposed or
72 adopted after August 28, 2022, 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
7 school district that share common interests, such as geographical location or educational
8 focus, or that sequentially serve classes of students as they progress through elementary
9 and 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
17 as 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

23 school innovation waiver granted to a school district or group of school districts shall
24 apply to every elementary and secondary school within the school district or group of
25 school 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
35 and provide an explanation for why the specific provision of law inhibits the ability of
36 the 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
38 in a more effective, efficient, or economical manner and that the waiver or modification
39 is 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
43 listed in subsection 2 of this section;

44 (5) Demonstrate parental, school employee, and community and business
45 support 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
49 subsection 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
56 section 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**
60 **or improve student readiness for postsecondary life, increase teacher salaries, or**
61 **increase the attractiveness of the teaching profession for prospective teachers and active**
62 **teachers;**

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

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

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

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

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

79 **7. The board may promulgate rules implementing the provisions of this section.**
80 **Any rule or portion of a rule, as that term is defined in section 536.010, that is created**
81 **under the authority delegated in this section shall become effective only if it complies**
82 **with and is subject to all of the provisions of chapter 536 and, if applicable, section**
83 **536.028. This section and chapter 536 are nonseverable, and if any of the powers vested**
84 **with the general assembly pursuant to chapter 536 to review, to delay the effective date,**
85 **or to disapprove and annul a rule are subsequently held unconstitutional, then the grant**
86 **of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall**
87 **be invalid and void.**

162.058. 1. Before July 1, 2023, each school district and charter school shall,
2 **after receiving community input, implement a community engagement policy that**
3 **provides residents of the school district methods of communicating with the school**
4 **board or the governing board of a charter school located in the school district and with**
5 **the administration of the school district or charter school.**

6 **2. The community engagement policy shall create a process allowing any**
7 **resident of a school district to have an item placed on the agenda of a school board**
8 **meeting, or a meeting of the governing board of a charter school located in the school**

9 district, if the resident follows the process described in the policy. Such policy shall
10 contain at least the following components:

11 (1) No item shall be placed on a meeting agenda under this section unless the
12 item is directly related to the governance or operation of the school district or charter
13 school;

14 (2) The school district or charter school may require the resident to first meet
15 with the superintendent or the superintendent's designee to attempt a resolution of the
16 issue. The superintendent or the superintendent's designee shall meet with the resident
17 within twenty business days of a written request to meet. After such meeting, or if the
18 superintendent or the superintendent's designee does not meet with the resident within
19 twenty business days, the resident may submit a written request to the board secretary
20 to have the issue brought before the school board or the governing board as a meeting
21 agenda item and may ask for the school board to take action on the issue. If the
22 secretary receives the request at least five business days prior to the next regularly
23 scheduled board meeting, the issue shall be placed as an item on the agenda for such
24 meeting. If the secretary receives the request less than five days before the next
25 regularly scheduled board meeting, the issue shall be placed as an item on the agenda
26 for the next subsequent regular board meeting. An agenda item may be moved to a
27 different board meeting with the consent of the resident requesting the agenda item;

28 (3) The school board or governing board may establish reasonable rules
29 governing agenda items including, but not limited to, time limits for presentation or
30 discussion of the agenda item and limits on the number of speakers to a single individual
31 or to individuals who met with the superintendent or the superintendent's designee
32 before the issue was brought before the board as a meeting agenda item;

33 (4) If the resident has requested the board to take action on the item by the
34 process described under subdivision 2 of this subsection, the school board or governing
35 board shall take action by voting on the agenda item in the meeting in which the item is
36 brought before the board or in one of the two subsequent board meetings. Such board
37 vote on the agenda item includes, but is not limited to, the following:

38 (a) Allowing the school administration's decision to stand;

39 (b) Reversing, revising, or changing the school administration's decision;

40 (c) Unless the next board meeting is not one of the three meetings at which the
41 agenda item shall be voted on as required in this subdivision, postponing consideration
42 of the issue until the next board meeting; or

43 (d) Amending, modifying, or making no change to school district policy,
44 procedures, or operations;

45 **(5) The school board or governing board may refuse to hear or delay hearing an**
46 **agenda item if the school board or governing board has heard an identical or**
47 **substantially similar issue in the previous three calendar months or if the resident has**
48 **previously violated district rules regarding conduct at meetings or on school property;**
49 **and**

50 **(6) The school board or governing board may delay hearing an agenda item if**
51 **more than three resident-initiated agenda items are scheduled for the same board**
52 **meeting. If the hearing of a resident's agenda item is delayed, the school board or**
53 **governing board shall provide the resident with an alternate method of communicating**
54 **to the school board or governing board regarding the agenda item.**

162.261. 1. The government and control of a seven-director school district, other
2 than an urban district, is vested in a board of education of seven members, who hold their
3 office for three years, except as provided in ~~section~~ **sections 162.241 and 162.563**, and until
4 their successors are duly elected and qualified. Any vacancy occurring in the board shall be
5 filled by the remaining members of the board; except that if there are more than two vacancies
6 at any one time, the county commission upon receiving written notice of the vacancies shall
7 fill the vacancies by appointment. If there are more than two vacancies at any one time in a
8 county without a county commission, the county executive upon receiving written notice of
9 the vacancies shall fill the vacancies, with the advice and consent of the county council, by
10 appointment. The person appointed shall hold office until the next municipal election, when a
11 director shall be elected for the unexpired term.

12 2. No seven-director, urban, or metropolitan school district board of education shall
13 hire a spouse of any member of such board for a vacant or newly created position unless the
14 position has been advertised pursuant to board policy and the superintendent of schools
15 submits a written recommendation for the employment of the spouse to the board of
16 education. The names of all applicants as well as the name of the applicant hired for the
17 position ~~are to~~ **shall** be included in the board minutes.

18 3. The provisions of Article VII, Section 6 of the Missouri Constitution apply to
19 school districts.

162.281. **Except as provided in section 162.563**, in all seven-director districts,
2 including urban districts, when directors are to be elected for terms of different lengths, each
3 candidate shall declare for a term of a specific number of years and the different terms shall
4 be voted upon as separate propositions.

162.291. **Except as provided in section 162.563**, the voters of each seven-director
2 district other than urban districts shall, at municipal elections, elect two directors who are
3 citizens of the United States and resident taxpayers of the district, who have resided in ~~this~~

4 ~~state]~~ **the district** for one year next preceding their election or appointment, and who are at
5 least twenty-four years of age.

162.471. 1. The government and control of an urban school district is vested in a
2 board of seven directors.

3 **2. Except as provided in section 162.563**, each director shall be a voter of the
4 district who has resided within this state for one year next preceding ~~his]~~ **the director's**
5 election or appointment and who is at least twenty-four years of age. All directors, except as
6 otherwise provided in ~~[section]~~ **sections** 162.481 ~~[and section]~~, 162.492, **and 162.563**, shall
7 hold their offices for six years and until their successors are duly elected and qualified. All
8 vacancies occurring in the board, except as provided in section 162.492, shall be filled by
9 appointment by the board as soon as practicable, and the person appointed shall hold ~~his]~~
10 office until the next school board election, when ~~his]~~ a successor shall be elected for the
11 remainder of the unexpired term. The power of the board to perform any official duty during
12 the existence of a vacancy continues unimpaired thereby.

162.481. 1. Except as otherwise provided in this section and ~~[in section]~~ **sections**
2 162.492 **and 162.563**, all elections of school directors in urban school districts shall be held
3 biennially at the same times and places as municipal elections.

4 2. Except as otherwise provided in subsections 3, 4, and 5 of this section, hereafter
5 when a seven-director district becomes an urban school district, the directors of the prior
6 seven-director district shall continue as directors of the urban school district until the
7 expiration of the terms for which they were elected and until their successors are elected as
8 provided in this subsection. The first biennial school election for directors shall be held in the
9 urban school district at the time provided in subsection 1 which is on the date of or
10 subsequent to the expiration of the terms of the directors of the prior district which are first to
11 expire, and directors shall be elected to succeed the directors of the prior district whose terms
12 have expired. If the terms of two directors only have expired, the directors elected at the first
13 biennial school election in the urban school district shall be elected for terms of six years. If
14 the terms of four directors have expired, two directors shall be elected for terms of six years
15 and two shall be elected for terms of four years. At the next succeeding biennial election held
16 in the urban school district, successors for the remaining directors of the prior seven-director
17 district shall be elected. If only two directors are to be elected they shall be elected for terms
18 of six years each. If four directors are to be elected, two shall be elected for terms of six years
19 and two shall be elected for terms of two years. After seven directors of the urban school
20 district have been elected under this subsection, their successors shall be elected for terms of
21 six years.

22 3. In any school district in which a majority of the district is located in any home rule
23 city with more than one hundred fifty-five thousand but fewer than two hundred thousand

24 inhabitants, elections shall be held annually at the same times and places as general municipal
25 elections for all years where one or more terms expire, and the terms shall be for three years
26 and until their successors are duly elected and qualified for all directors elected on and after
27 August 28, 1998.

28 4. For any school district which becomes an urban school district by reason of the
29 2000 federal decennial census, elections shall be held annually at the same times and places
30 as general municipal elections for all years where one or more terms expire, and the terms
31 shall be for three years and until their successors are duly elected and qualified for all
32 directors elected on and after August 28, 2001.

33 5. In any school district in any county with a charter form of government and with
34 more than three hundred thousand but fewer than four hundred fifty thousand inhabitants
35 which becomes an urban school district by reason of the 2010 federal decennial census,
36 elections shall be held annually at the same times and places as general municipal elections
37 for all years where one or more terms expire, and the terms shall be for three years and until
38 their successors are duly elected and qualified for all directors elected on and after April 2,
39 2012.

40 6. In any urban school district in a county of the first classification with more than
41 eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule
42 city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as
43 the county seat, elections shall be held annually at the same times and places as general
44 municipal elections for all years where one or more terms expire, and upon expiration of any
45 term after August 28, 2015, the term of office shall be for three years and until their
46 successors are duly elected and qualified.

162.491. 1. Directors for urban school districts, other than those districts containing
2 the greater part of a city of over one hundred thirty thousand inhabitants, may be nominated
3 by petition to be filed with the secretary of the board and signed by a number of voters in the
4 district equal to ten percent of the total number of votes cast for the director receiving the
5 highest number of votes cast at the next preceding biennial election, except as provided in
6 subsection 4 of this section.

7 2. This section shall not be construed as providing the sole method of nominating
8 candidates for the office of school director in urban **school** districts [~~which~~] **that** do not
9 contain the greater part of a city of over three hundred thousand inhabitants.

10 3. A director for any urban school district containing a city of greater than one
11 hundred thirty thousand inhabitants and less than three hundred thousand inhabitants may be
12 nominated as an independent candidate by filing with the secretary of the board a petition
13 signed by five hundred registered voters of such school district.

14 4. In any urban school district located in a county of the first classification with more
15 than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home
16 rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants
17 as the county seat, a candidate for director shall file a declaration of candidacy with the
18 secretary of the board and shall not be required to submit a petition.

19 **5. No candidate for election as a school board director representing a subdistrict**
20 **as provided in section 162.563 shall be required to file a declaration of candidacy as**
21 **provided in this section as the sole method of filing for candidacy.**

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

2 (1) "School board", the board vested with the government and control of a
3 school district as described in section 162.261 or section 162.471;

4 (2) "School district", a seven-director school district or an urban school district
5 established in this chapter.

6 **2. A school board may divide the school district into seven subdistricts or a**
7 **combination of subdistricts and at-large districts and establish the election of school**
8 **board members as provided in this section.**

9 **3. (1) A school board desiring to divide a school district as provided in this**
10 **section shall vote on the question of dividing the district as provided in this section.**
11 **Upon the approval of the question by at least four members of the school board, the**
12 **school board shall develop a proposed plan as described in subdivision (2) of this**
13 **subsection.**

14 **(2) A school board dividing a school district as provided in this section shall**
15 **develop and adopt a proposed plan for the division of the school district. Such proposed**
16 **plan shall be adopted upon the approval of at least four members of the school board**
17 **and shall contain at least the following information:**

18 **(a) A summary of the proposed plan for dividing the school district;**

19 **(b) A statement indicating whether the school district will be divided into seven**
20 **subdistricts or a combination of subdistricts and at-large districts;**

21 **(c) A description of the areas of the school district each newly elected school**
22 **board member will represent, with each subdistrict and at-large district represented by**
23 **a number;**

24 **(d) A statement indicating whether the existing school board members will be**
25 **replaced by the newly elected school board members at one election or in succeeding**
26 **elections to provide for staggered terms of the members; and**

27 **(e) Any other information deemed necessary by the school board.**

28 **(3) After the school board develops such proposed plan, the school board shall**
29 **immediately notify the election authority of the county in which the school district is**

30 located. Upon receiving such notification, the election authority shall submit the
31 question of whether to divide the school district as described in the proposed plan to the
32 voters of the school district on the next available day for any municipal election. If a
33 majority of the registered voters of the school district voting on the question approve the
34 division of the school district, the school board shall follow the procedures described in
35 subsection 4 of this section. If a majority of the registered voters of the school district
36 voting on the question reject the division of the school district, no division as described
37 in this section shall occur.

38 4. (1) After approval of a question submitted under subdivision (3) of subsection
39 3 of this section, a school board dividing a school district as provided in this section shall
40 adopt a final plan for the division of the school district based on the proposed plan
41 developed under subsection 3 of this section. Such final plan shall contain at least the
42 following information:

- 43 (a) A summary of the proposed plan for dividing the school district;
- 44 (b) The time and place of at least two public hearings to be held to consider the
45 proposed plan;
- 46 (c) A statement indicating whether the school district will be divided into seven
47 subdistricts or a combination of subdistricts and at-large districts;
- 48 (d) A description of the areas of the school district each newly elected school
49 board member will represent, with each subdistrict and at-large district represented by
50 a number;
- 51 (e) A statement indicating whether the existing school board members will be
52 replaced by the newly elected school board members at one election or in succeeding
53 elections to provide for staggered terms of the members; and
- 54 (f) Any other information deemed necessary by the school board.

55 (2) For each hearing held as provided in this subsection, the school board shall:

- 56 (a) Publish notice of the hearing, the proposed plan, and any amendments to the
57 proposed plan adopted at a previous hearing on the school district's website and by any
58 other method allowed by law, with the first publication to occur no more than thirty
59 days before the hearing and the second publication to occur no earlier than fifteen days
60 and no later than ten days before the hearing;
- 61 (b) Hear all alternate proposals for division of the school district and receive
62 evidence for or against such alternate proposals;
- 63 (c) Hear all protests and receive evidence for or against such proposed division;
- 64 (d) Vote on each alternate proposal and protest, which vote shall be the final
65 determination of such alternate proposal or protest;
- 66 (e) Adopt any amendments to the proposed plan; and

67 **(f) Perform any other actions related to the proposed plan deemed necessary by**
68 **the school board.**

69 **(3) (a) After the conclusion of the final hearing proceedings but before**
70 **adjourning such hearing, the school board shall adopt the final plan to divide the school**
71 **district developed as a result of the hearings.**

72 **(b) After the school board adopts the final plan, the school board shall present**
73 **the final plan to the election authority of the county in which the school district is**
74 **located for actions required under subdivision (4) of this subsection and publish the**
75 **final plan in the same manner as the initial proposed plan was published under**
76 **paragraph (a) of subdivision (2) of this subsection. The final plan shall contain at least**
77 **the following information:**

78 **a. A summary of the final plan for dividing the school district;**

79 **b. A statement indicating whether the school district will be divided into seven**
80 **subdistricts or a combination of subdistricts and at-large districts;**

81 **c. A description of the areas of the school district each newly elected school**
82 **board member will represent, with each subdistrict and at-large district represented by**
83 **a number;**

84 **d. The date of the election of each new school board member as provided in the**
85 **final plan;**

86 **e. A statement indicating whether the existing school board members will be**
87 **replaced by the newly elected school board members at one election or in succeeding**
88 **elections to provide for staggered terms of the members; and**

89 **f. Any other information deemed necessary by the school board.**

90 **(4) (a) After a final plan is adopted as provided in subdivision (3) of this**
91 **subsection, before December first of the calendar year immediately preceding the**
92 **general municipal election day in the calendar year in which the residents of the school**
93 **district will vote to elect new school board members as provided in the final plan, the**
94 **school board shall divide the school district into seven subdistricts or a combination of**
95 **subdistricts and at-large districts as directed in the final plan. All subdistricts required**
96 **by the final plan shall be of contiguous and compact territory and as nearly equal in**
97 **population as practicable in accordance with the final plan. Within six months after**
98 **each decennial census is reported to the President of the United States, the school board**
99 **shall reapportion the subdistricts to be as nearly equal in population as practicable.**
100 **After the school board divides the school district or reapportions the subdistricts, the**
101 **school board shall notify the residents of the school district as provided by law.**

102 **(b) Any resident of the school district who believes the school board has divided**
103 **the school district or reapportioned subdistricts in violation of paragraph (a) of this**

104 subdivision may petition the circuit court of the county in which the school district exists
105 for an order directing the school board to divide the school district or reapportion the
106 subdistricts as provided in paragraph (a) of this subdivision. The petition shall be
107 submitted to the circuit court within ten business days of the school board's notice
108 required in paragraph (a) of this subdivision.

109 (5) On the first day available for candidate filing for the first general municipal
110 election occurring after the school district is divided as provided in this subsection, any
111 qualified resident who has or will have resided in a subdistrict or at-large district for the
112 year immediately preceding the general municipal election day may file as a candidate
113 for election to the school board as a member representing such subdistrict or at-large
114 district. At the end of the time available for candidate filing, if no qualified resident of a
115 subdistrict has filed as a candidate in that subdistrict, the election authority shall extend
116 the time for candidate filing by seven additional days, and any qualified resident of the
117 school district who has or will have resided in the school district for the year
118 immediately preceding the general municipal election day may file as a candidate for
119 election to the school board as a member representing that subdistrict. No school
120 district shall require a candidate to submit a petition signed by the registered voters of
121 the school district as a method of filing a declaration of candidacy. The election
122 authority shall determine the validity of all declarations of candidacy.

123 (6) When the election is held on the general municipal election day, the seven
124 candidates, one from each of the subdistricts or at-large districts, who receive a plurality
125 of the votes cast by the voters of that subdistrict or at-large district shall be elected. Any
126 candidate who is not a subdistrict resident but qualifies as a candidate as a school
127 district resident as provided in subdivision (5) of this subsection shall be elected by the
128 voters of the school district. Each member shall be elected to a term as provided in the
129 final plan adopted as provided in subdivision (3) of this subsection.

130 (7) Each member shall serve until a successor is elected or the member vacates
131 the office. Any vacancy that occurs before the end of the member's term shall be filled
132 as provided in section 162.261 or 162.471.

133 (8) Except for a member who is not a subdistrict resident but is elected as a
134 school district resident to represent a subdistrict as provided in subdivision (5) of this
135 subsection, each member shall reside in the subdistrict the member represents during
136 the member's term.

137 (9) All other provisions applicable to school districts that are not in conflict with
138 this subsection shall apply to school districts divided as provided in this subsection.

139 5. (1) If any school district receives a petition, signed by at least ten percent of
140 the number of registered voters of the school district voting in the last school board

141 election, calling for the school district to divide into seven subdistricts or a combination
142 of subdistricts and at-large districts and establish the election of school board members
143 as provided in this subsection, the school district shall immediately notify the election
144 authority of the county in which the school district is located. Upon receiving such
145 notification, the election authority shall submit the question of whether to divide the
146 school district as provided by the petition to the voters of the school district on the next
147 available day for any municipal election. If a majority of the registered voters of the
148 school district voting on the question approve the division of the school district, the
149 school board shall begin the process of adopting the plan as described in this subsection.
150 If a majority of the registered voters of the school district voting on the question reject
151 the division of the school district, no division as described in the petition shall occur.

152 (2) (a) Any such petition submitted to the school district as provided in this
153 subsection shall contain a proposed plan for the division of the school district. Such
154 proposed plan shall contain at least the following information:

- 155 a. A summary of the proposed plan for dividing the school district;
- 156 b. A statement indicating whether the school district will be divided into seven
157 subdistricts or a combination of subdistricts and at-large districts;
- 158 c. A description of the areas of the school district each newly elected school
159 board member will represent, with each subdistrict and at-large district represented by
160 a number;
- 161 d. The proposed date of the election of each new school board member as
162 provided in the proposed plan;
- 163 e. A statement indicating whether the existing school board members will be
164 replaced by the newly elected school board members at one election or in succeeding
165 elections to provide for staggered terms of the members; and
- 166 f. Any other information deemed necessary by the school board.

167 (b) If a division of the school district is approved by the voters as provided in
168 subdivision (1) of this subsection, the school board shall create a school district division
169 commission to develop a final plan for division of the school district. The commission
170 shall:

- 171 a. Be composed of nine members as follows:
 - 172 (i) Three members appointed by the superintendent of the school district;
 - 173 (ii) Three members appointed by the county commission; and
 - 174 (iii) Three members appointed by the organizers of the petition to divide the
175 school district; and
- 176 b. Set the time and place of at least two hearings to be held to consider the
177 proposed plan. For each hearing held, the commission shall:

178 (i) Publish notice of the hearing, the proposed plan, and any amendments to the
179 proposed plan adopted at a previous hearing on the school district's website and by any
180 other method allowed by law, with the first publication to occur no more than thirty
181 days before the hearing and the second publication to occur no earlier than fifteen days
182 and no later than ten days before the hearing;

183 (ii) Conduct the hearing on the proposal for division of the district on behalf of
184 the petitioners;

185 (iii) Hear all protests and receive evidence for or against such proposed division;
186 and

187 (iv) Vote to adopt any proposed plan amendments agreed to by the petitioners as
188 a result of the hearings.

189 (c) Within ninety days after the adjournment of the final hearing conducted as
190 provided in this subdivision, the commission shall submit the final plan to the election
191 authority of the county in which the school district is located for actions required in
192 subdivision (3) of this subsection and publish the final plan in the same manner as the
193 initial proposed plan was published as provided in item (i) of subparagraph b. of
194 paragraph (b) of this subdivision. The final plan shall contain at least the following
195 information:

196 a. A summary of the final plan for dividing the school district;

197 b. A statement indicating whether the school district will be divided into seven
198 subdistricts or a combination of subdistricts and at-large districts;

199 c. A description of the areas of the school district each newly elected school
200 board member will represent, with each subdistrict and at-large district represented by
201 a number;

202 d. The date of the election of each new school board member as provided in the
203 final plan;

204 e. A statement indicating whether the existing school board members will be
205 replaced by the newly elected school board members at one election or in succeeding
206 elections to provide for staggered terms of the members; and

207 f. Any other information deemed necessary by the commission.

208 (3) (a) After a final plan is submitted to the election authority as provided in
209 subdivision (2) of this subsection, before December first of the calendar year
210 immediately preceding the general municipal election day in the calendar year in
211 which the residents of the school district will vote to elect new school board members as
212 provided in the final plan, the school district division commission shall divide the school
213 district into seven subdistricts or a combination of subdistricts and at-large districts as
214 directed in the final plan. All subdistricts required by the final plan shall be of

215 **contiguous and compact territory and as nearly equal in population as practicable in**
216 **accordance with the final plan. Within six months after each decennial census is**
217 **reported to the President of the United States, the commission shall reapportion the**
218 **subdistricts to be as nearly equal in population as practicable. After the commission**
219 **divides the school district or reapportions the subdistricts, the commission shall notify**
220 **the residents of the school district as provided by law.**

221 **(b) Any resident of the school district who believes the school district division**
222 **commission has divided the school district or reapportioned subdistricts in violation of**
223 **paragraph (a) of this subdivision may petition the circuit court of the county in which**
224 **the school district exists for an order directing the commission to divide the school**
225 **district or reapportion the subdistricts as provided in paragraph (a) of this subdivision.**
226 **The petition shall be submitted to the circuit court within ten business days of the**
227 **commission's notice provided in paragraph (a) of this subdivision.**

228 **(4) On the first day available for candidate filing for the first general municipal**
229 **election occurring after the school district is divided as provided in this subsection, any**
230 **qualified resident who has or will have resided in a subdistrict or at-large district for the**
231 **year immediately preceding the general municipal election day may file as a candidate**
232 **for election to the school board as a member representing such subdistrict or at-large**
233 **district. At the end of the time available for candidate filing, if no qualified resident of a**
234 **subdistrict has filed as a candidate in that subdistrict, the election authority shall extend**
235 **the time for candidate filing by seven additional days, and any qualified resident of the**
236 **school district who has or will have resided in the school district for the year**
237 **immediately preceding the general municipal election day may file as a candidate for**
238 **election to the school board as a member representing that subdistrict. No school**
239 **district shall require a candidate to submit a petition signed by the registered voters of**
240 **the school district as a method of filing a declaration of candidacy. The election**
241 **authority shall determine the validity of all declarations of candidacy.**

242 **(5) When the election is held on the general municipal election day, the seven**
243 **candidates, one from each of the subdistricts or at-large districts, who receive a plurality**
244 **of the votes cast by the voters of that subdistrict shall be elected. Any candidate who is**
245 **not a subdistrict resident but qualifies as a candidate as a school district resident as**
246 **provided in subdivision (4) of this subsection shall be elected by the voters of the school**
247 **district. Each member shall be elected to a term as provided in the final plan approved**
248 **as provided in subdivision (2) of this subsection.**

249 **(6) Each member shall serve until a successor is elected or the member vacates**
250 **the office. Any vacancy that occurs before the end of the member's term shall be filled**
251 **as provided in section 162.261 or 162.471.**

252 (7) Except for a member who is not a subdistrict resident but is elected as a
253 school district resident to represent a subdistrict as provided in subdivision (4) of this
254 subsection, each member shall reside in the subdistrict the member represents during
255 the member's term.

256 (8) All other provisions applicable to school districts that are not in conflict with
257 this subsection shall apply to school districts divided as provided in this subsection.

258 6. No new plan for division of the school district shall be proposed or adopted as
259 provided in this section sooner than five years after a division of the school district as
260 provided in this section.

162.720. 1. (1) This subdivision shall apply to all school years ending before
2 July 1, 2024. Where a sufficient number of children are ~~[determined to be]~~ identified as
3 gifted and their development requires programs or services beyond the level of those
4 ordinarily provided in regular public school programs, districts may establish special
5 programs for such gifted children.

6 (2) For school year 2024-25 and all subsequent school years, if three percent or
7 more of students enrolled in a school district are identified as gifted and their
8 development requires programs or services beyond the level of those ordinarily
9 provided in regular public school programs, the district shall establish a state-approved
10 gifted program for gifted children.

11 2. For school year 2024-25 and all subsequent school years, any teacher
12 providing gifted services to students in districts with an average daily attendance of
13 more than three hundred fifty students shall be certificated in gifted education. In
14 districts with an average daily attendance of three hundred fifty students or fewer, any
15 teacher providing gifted services shall not be required to be certificated to teach gifted
16 education but such teacher shall annually participate in at least six clock hours of
17 professional development focused on gifted services. The school district shall pay for
18 such professional development focused on gifted services.

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

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

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

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

36 **7. The department of elementary and secondary education may promulgate all**
37 **necessary rules and regulations for the implementation and administration of this**
38 **section. Any rule or portion of a rule, as that term is defined in section 536.010, that is**
39 **created under the authority delegated in this section shall become effective only if it**
40 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**
41 **section 536.028. This section and chapter 536 are nonseverable, and if any of the powers**
42 **vested with the general assembly pursuant to chapter 536 to review, to delay the**
43 **effective date, or to disapprove and annul a rule are subsequently held unconstitutional,**
44 **then the grant of rulemaking authority and any rule proposed or adopted after August**
45 **28, 2022, shall be invalid and void.**

162.961. 1. A parent, guardian or the responsible educational agency may request a
2 due process hearing before the administrative hearing commission with respect to any matter
3 relating to identification, evaluation, educational placement, or the provision of a free
4 appropriate public education of the child. Such request shall include the child's name,
5 address, school, issue, and suggested resolution of dispute if known. Except as provided in
6 subsection 4 of this section, the administrative hearing commission shall within fifteen days
7 after receiving notice assign a commissioner who is not an employee of the state board of
8 education or department of elementary and secondary education to hear the case.
9 Commissioners shall have some knowledge or training involving children with disabilities,
10 shall not have a personal or professional interest which would conflict with ~~[his or her]~~ **such**
11 **commissioner's** objectivity in the hearing, and shall meet the training and assessment
12 requirements pursuant to state regulations, federal law and regulation requirements of the
13 Individuals With Disabilities Education Act, and the requirements in section 621.253. No
14 commissioner who conducts a due process hearing shall have been employed within the last
15 five years by a school district or by an organization engaged in special education parent and
16 student advocacy, performed work for a school district or for a parent or student as a special
17 education advocate within the last five years as an independent contractor or consultant, been
18 employed within the last five years by the state board of education or department of
19 elementary and secondary education, or performed work for the state board of education or

20 department of elementary and secondary education within the last five years as an
21 independent contractor or consultant, or been party to a special education proceeding as an
22 attorney, parent, or child. During the pendency of any hearing, or prior to the assignment of
23 the commissioner, the parties may, by mutual agreement, submit their dispute to a mediator
24 pursuant to section 162.959.

25 2. The parent or guardian, school official, and other persons affected by the action in
26 question shall present at the hearing all pertinent evidence relative to the matter under appeal.
27 All rights and privileges as described in section 162.963 shall be permitted. **In hearings**
28 **relating to a child with a disability that are held under the Individuals with Disabilities**
29 **Act (20 U.S.C. Section 1400 et seq.), applicable state law, or rules or regulations**
30 **promulgated under such federal or state law, the burden of proof and the burden of**
31 **production shall be on the school district in any due process hearing regarding any**
32 **matter related to the identification, evaluation, reevaluation, classification, educational**
33 **placement, disciplinary action, or the provision of a free appropriate public education of**
34 **the child.**

35 3. After review of all evidence presented and a proper deliberation, the commissioner,
36 within the ~~[time-lines]~~ **timelines** required by the Individuals With Disabilities Education Act,
37 20 U.S.C. Section 1415 and any amendments thereto, shall determine its findings,
38 conclusions, and decision in the matter in question and forward the written decision to the
39 parents or guardian of the child and to the president of the appropriate local board of
40 education or responsible educational agency and to the department of elementary and
41 secondary education. A specific extension of the ~~[time-line]~~ **timeline** may be made by the
42 commissioner assigned to the matter at the request of either party, except in the case of an
43 expedited hearing as provided in subsection 4 of this section.

44 4. An expedited due process hearing by the administrative hearing commission may
45 be requested by a parent to challenge a disciplinary change of placement or to challenge a
46 manifestation determination in connection with a disciplinary change of placement or by a
47 responsible educational agency to seek a forty-five school day alternative educational
48 placement for a dangerous or violent student. The administrative hearing commission shall
49 assign a commissioner to hear the case and render a decision within the ~~[time-line]~~ **timeline**
50 required by federal law and state regulations implementing federal law. A specific extension
51 of the ~~[time-line]~~ **timeline** is only permissible to the extent consistent with federal law and
52 pursuant to state regulations.

53 5. If the responsible public agency requests a due process hearing to seek a forty-five
54 school day alternative educational placement for a dangerous or violent student, the agency
55 shall show by substantial evidence that there is a substantial likelihood the student will injure
56 ~~[himself]~~ **the student** or others and that the agency made reasonable efforts to minimize that

57 risk, and shall show that the forty-five school day alternative educational placement will
58 provide a free appropriate public education which includes services and modifications to
59 address the behavior so that ~~[it]~~ **such behavior** does not reoccur, and continue to allow
60 progress in the general education curriculum.

61 6. Any due process hearing request and responses to the request shall conform to the
62 requirements of the Individuals With Disabilities Education Act (IDEA). Determination of
63 the sufficiency shall be made by the commissioner. The commissioner shall enforce the
64 process and procedures, including ~~[time-lines]~~ **timelines**, required by the IDEA, related to
65 sufficiency of notice, response to notice, determination of sufficiency dispute, and
66 amendments of the notice.

67 7. A preliminary meeting, known as a resolution session, shall be convened by the
68 responsible public agency, under the requirements of the IDEA. The process and procedures
69 required by the IDEA in connection to the resolution session and any resulting written
70 settlement agreement shall be implemented. The responsible public agency or its designee
71 shall sign the agreement. The designee identified by the responsible public agency shall have
72 the authority to bind the agency. A local board of education, as a responsible public agency,
73 shall identify a designee with authority to bind the school district.

74 8. Notwithstanding any provision of law to the contrary, when conducting a due
75 process hearing, the administrative hearing commission shall conform all of its practices,
76 procedures, filing deadlines, and response times to the requirements of the Individuals With
77 Disabilities Education Act (IDEA).

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

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

167.151. 1. The school board of any district, in its discretion, may admit to the school
2 pupils not entitled to free instruction and prescribe the tuition fee to be paid by them, except
3 as provided in **subdivision (2) of subsection 3 of this section and in** sections 167.121,
4 167.131, 167.132, and 167.895.

5 2. Orphan children, children with only one parent living, and children whose parents
6 do not contribute to their support—if the children are between the ages of six and twenty
7 years and are unable to pay tuition—may attend the schools of any district in the state in
8 which they have a permanent or temporary home without paying a tuition fee.

9 3. **(1) For all school years ending on or before June 30, 2023, any [person]**
10 **individual** who pays a school tax in any other district than that in which ~~[he]~~ **such individual**
11 resides may send ~~[his]~~ **such individual's** children to any public school in the district in which
12 the tax is paid and receive as a credit on the amount charged for tuition the amount of the
13 school tax paid to the district; except that any ~~[person]~~ **individual** who owns real estate of
14 which eighty acres or more are used for agricultural purposes and upon which ~~[his]~~ **such**
15 **individual's** residence is situated may send ~~[his]~~ **such individual's** children to public school
16 in any school district in which a part of such real estate, contiguous to that upon which ~~[his]~~
17 **such individual's** residence is situated, lies and shall not be charged tuition therefor; so long
18 as thirty-five percent of the real estate is located in the school district of choice. The school
19 district of choice shall count the children in its average daily attendance for the purpose of
20 distribution of state aid through the foundation formula.

21 **(2) For all school years beginning on and after July 1, 2023, an owner of**
22 **residential real property or agricultural real property or a named beneficiary of a trust**
23 **that owns residential real property or agricultural real property and that pays a school**
24 **tax in any district other than the district in which such owner or beneficiary resides may**
25 **send up to four of such owner's or beneficiary's children to a public school in any**
26 **district in which such owner or trust pays such school tax. The school district or public**
27 **school of choice shall count a child as a resident attending under this subdivision in its**
28 **average daily attendance for the purpose of distribution of state aid through the**
29 **foundation formula.**

30 4. ~~[Any owner of agricultural land who, pursuant to subsection 3 of this section, has~~
31 ~~the option of sending his children to the public schools of more than one district shall exercise~~
32 ~~such option as provided in this subsection. Such person shall send written notice to all school~~
33 ~~districts involved specifying to which school district his children will attend by June thirtieth~~
34 ~~in which such a school year begins. If notification is not received, such children shall attend~~
35 ~~the school in which the majority of his property lies. Such person shall not send any of his~~
36 ~~children to the public schools of any district other than the one to which he has sent notice~~
37 ~~pursuant to this subsection in that school year or in which the majority of his property lies~~
38 ~~without paying tuition to such school district.]~~

39

40 **For all school years beginning on or after July 1, 2023, any owner of real property or**
41 **named beneficiary of a trust that owns real property who elects to exercise the option**

42 **provided in subdivision (2) of subsection 3 of this section shall exercise such option as**
43 **provided in this subdivision. Such owner or beneficiary shall send written notice to all**
44 **school districts involved specifying which school district each child will attend thirty**
45 **days prior to enrollment. When providing such notice, such owner or beneficiary shall**
46 **present proof of such owner's or trust's payment of at least three thousand dollars of**
47 **school taxes levied on the real property within such school district and ownership of the**
48 **real property for not less than three years. Such proof may be determined by**
49 **multiplying the school taxes paid on the most recent property tax receipt by the years of**
50 **property ownership.**

51 5. If a pupil is attending school in a district other than the district of residence and the
52 pupil's parent is teaching in the school district or is a regular employee of the school district
53 which the pupil is attending, then the district in which the pupil attends school shall allow the
54 pupil to attend school upon payment of tuition in the same manner in which the district allows
55 other pupils not entitled to free instruction to attend school in the district. The provisions of
56 this subsection shall apply only to pupils attending school in a district which has an
57 enrollment in excess of thirteen thousand pupils and not in excess of fifteen thousand pupils
58 and which district is located in a county [~~of the first classification~~] with a charter form of
59 government which has a population in excess of six hundred thousand persons and not in
60 excess of nine hundred thousand persons.

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
8 presents to the state board a valid doctoral degree from an accredited institution of higher
9 education accredited by a regional accrediting association such as North Central Association.
10 Such certificate shall be limited to the major area of postgraduate study of the holder, shall be
11 issued only after successful completion of the examination required for graduation pursuant
12 to rules adopted by the state board of education, and shall be restricted to those certificates
13 established pursuant to subdivision (2) of subsection 3 of this section;

14 (3) By the state board, which shall issue the professional certificate classification in
15 both the general and specialized areas most closely aligned with the current areas of
16 certification approved by the state board, commensurate with the years of teaching experience
17 of the 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
21 for 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**
30 **third contract by the employing district. For any applicant who has a change in job**
31 **status because of a reduction in the workforce or a change in life circumstances, the**
32 **scores required under this item may be scores achieved in any school district during the**
33 **two-year nonrenewable provisional certification period; and**
- 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;**
37 and
- 38 (c) Upon completion of a background check as prescribed in section 168.133 and
39 possession of a valid teaching certificate in the state from which the applicant's teacher
40 preparation program was completed;
- 41 (4) By the state board, under rules prescribed by it, on the basis of a relevant
42 bachelor's degree, or higher degree, and a passing score for the designated exit examination,
43 for individuals whose academic degree and professional experience are suitable to provide a
44 basis for instruction solely in the subject matter of banking or financial responsibility, at the
45 discretion of the state board. Such certificate shall be limited to the major area of study of the
46 holder and shall be restricted to those certificates established under subdivision (2) of
47 subsection 3 of this section. Holders of certificates granted under this subdivision shall be
48 exempt from the teacher tenure act under sections 168.102 to 168.130 and each school district
49 shall have the decision-making authority on whether to hire the holders of such certificates;
- 50 (5) By the state board, under rules and regulations prescribed by it, on the basis of
51 certification by the American Board for Certification of Teacher Excellence (ABCTE) and
52 verification of ability to work with children as demonstrated by sixty contact hours in any one
53 of the following areas as validated by the school principal: sixty contact hours in the
54 classroom, of which at least forty-five must be teaching; sixty contact hours as a substitute

55 teacher, with at least thirty consecutive hours in the same classroom; sixty contact hours of
56 teaching in a private school; or sixty contact hours of teaching as a paraprofessional, for an
57 initial four-year ABCTE certificate of license to teach, except that such certificate shall not be
58 granted for the areas of early childhood education, or special education. For certification in
59 the area of elementary education, ninety contact hours in the classroom shall be required, of
60 which at least thirty shall be in an elementary classroom. Upon the completion of the
61 **following** requirements [~~listed in paragraphs (a), (b), (c), and (d) of this subdivision~~], an
62 applicant shall be eligible to apply for a career continuous professional certificate under
63 subdivision (3) of subsection 3 of this section:

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

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

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

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

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

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

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

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

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

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

90 2. All valid teaching certificates issued pursuant to law or state board policies and
91 regulations prior to September 1, 1988, shall be exempt from the professional development

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

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

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

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

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

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

117 (3) (a) The career continuous professional certificate shall be issued upon
118 verification of completion of four years of teaching under the initial professional certificate
119 and upon verification of the completion of the requirements articulated in paragraphs (a)~~], (b),~~
120 ~~and] to~~ (c) of subdivision (2) of this subsection or paragraphs (a)~~], (b), (c), and] to~~ (d) of
121 subdivision (5) of subsection 1 of this section.

122 (b) The career continuous professional certificate shall be continuous based upon
123 verification of actual employment in an educational position as provided for in state board
124 guidelines and completion of fifteen contact hours of professional development per year
125 which may include hours spent in class in an appropriate college curriculum. Should the
126 possessor of a valid career continuous professional certificate fail, in any given year, to meet
127 the fifteen-hour professional development requirement, the possessor may, within two years,
128 make up the missing hours. In order to make up for missing hours, the possessor shall first

129 complete the fifteen-hour requirement for the current year and then may count hours in excess
130 of the current year requirement as make-up hours. Should the possessor fail to make up the
131 missing hours within two years, the certificate shall become inactive. In order to reactivate
132 the certificate, the possessor shall complete twenty-four contact hours of professional
133 development which may include hours spent in the classroom in an appropriate college
134 curriculum within the six months prior to or after reactivating ~~[his or her]~~ **the possessor's**
135 certificate. The requirements of this paragraph shall be monitored and verified by the local
136 school district which employs the holder of the career continuous professional certificate.

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

- 141 a. Has ten years of teaching experience as defined by the state board of education;
- 142 b. Possesses a master's degree; or
- 143 c. Obtains a rigorous national certification as approved by the state board of
144 education.

145 4. Policies and procedures shall be established by which a teacher who was not
146 retained due to a reduction in force may retain the current level of certification. There shall
147 also be established policies and procedures allowing a teacher who has not been employed in
148 an educational position for three years or more to reactivate ~~[his or her]~~ **the teacher's** last
149 level of certification by completing twenty-four contact hours of professional development
150 which may include hours spent in the classroom in an appropriate college curriculum within
151 the six months prior to or after reactivating ~~[his or her]~~ **the teacher's** certificate.

152 5. The state board shall, upon completion of a background check as prescribed in
153 section 168.133, issue a professional certificate classification in the areas most closely
154 aligned with an applicant's current areas of certification, commensurate with the years of
155 teaching experience of the applicant, to any person who is hired to teach in a public school in
156 this state and who possesses a valid teaching certificate from another state or certification
157 under subdivision (4) of subsection 1 of this section, provided that the certificate holder shall
158 annually complete the state board's requirements for such level of certification, and shall
159 establish policies by which residents of states other than the state of Missouri may be assessed
160 a fee for a certificate of license to teach in the public schools of Missouri. Such fee shall be in
161 an amount sufficient to recover any or all costs associated with the issuing of a certificate of
162 license to teach. The board shall promulgate rules to authorize the issuance of a provisional
163 certificate of license, which shall be valid for three years and shall allow the holder to assume
164 classroom duties pending the completion of a criminal background check under section
165 168.133, for any applicant who:

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

171 6. The state board may assess to holders of an initial professional certificate a fee, to
172 be deposited into the excellence in education [~~revolving~~] fund established pursuant to section
173 160.268, for the issuance of the career continuous professional certificate. However, such fee
174 shall not exceed the combined costs of issuance and any criminal background check required
175 as a condition of issuance. Applicants for the initial ABCTE certificate shall be responsible
176 for any fees associated with the program leading to the issuance of the certificate, but nothing
177 in this section shall prohibit a district from developing a policy that permits fee
178 reimbursement.

179 7. Any member of the public school retirement system of Missouri who entered
180 covered employment with ten or more years of educational experience in another state or
181 states and held a certificate issued by another state and subsequently worked in a school
182 district covered by the public school retirement system of Missouri for ten or more years who
183 later became certificated in Missouri shall have that certificate dated back to [~~his or her~~] **the**
184 **member's** original date of employment in a Missouri public school.

185 8. Within thirty days of receiving an application from a spouse of an active duty
186 member of the Armed Forces of the United States who has been transferred or is scheduled to
187 be transferred to the state of Missouri, or who has been transferred or is scheduled to be
188 transferred to an adjacent state and is or will be domiciled in the state of Missouri, or has
189 moved to the state of Missouri on a permanent change-of-station basis and has successfully
190 completed the background check described under subsection 5 of this section and section
191 168.133, the state board shall issue to such applicant a full certificate of license to teach,
192 provided that the applicant has paid all necessary fees and has otherwise met all requirements
193 to be issued such a certificate.

**168.036. 1. In addition to granting certificates of license to teach in public
2 schools of the state under 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 required under
7 section 168.021.**

8 **(2) The state board may refuse to issue or renew, suspend, or revoke any**
9 **certificate sought or issued under this section in the same manner and for the same**
10 **reasons as under section 168.071.**

11 **3. The state board may grant a certificate under this section to any individual**
12 **who has completed:**

13 **(1) At least thirty-six semester hours at an accredited institution of higher**
14 **education; or**

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

17 **4. The department of elementary and secondary education shall develop and**
18 **maintain an online training program for individuals, which shall consist of twenty hours**
19 **of training related to subjects appropriate for substitute teachers as determined by the**
20 **department.**

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

29 **6. (1) Notwithstanding any other provisions to contrary, beginning on the**
30 **effective date of this section and ending on June 30, 2025, any person, who is retired and**
31 **currently receiving a retirement allowance under sections 169.010 to 169.141 or sections**
32 **169.600 to 169.715, other than for disability, may be employed to substitute teach on a**
33 **part time or temporary substitute basis by an employer included in the retirement**
34 **system without a discontinuance of the person's retirement allowance. Such a person**
35 **shall not contribute to the retirement system, or to the public school retirement system**
36 **established by sections 169.010 to 169.141 or to the public education employee**
37 **retirement system established by sections 169.600 to 169.715, because of earnings during**
38 **such period of employment.**

39 **(2) In addition to the conditions set forth in subdivision 1 of this subsection, any**
40 **person retired and currently receiving a retirement allowance under sections 169.010 to**
41 **169.141, other than for disability, who is employed by a third party or is performing**
42 **work as an independent contractor may be employed to substitute teach on a part-time**
43 **or temporary substitute basis, if such person is performing work for an employer**

44 included in the retirement system without a discontinuance of the person's retirement
45 allowance.

46 (3) If a person is employed pursuant to this subsection on a regular, full-time
47 basis the person shall not be entitled to receive the person's retirement allowance for
48 any month during which the person is so employed. The retirement system may require
49 the employer, the third-party employer, the independent contractor, and the retiree
50 subject to this subsection to provide documentation showing compliance with this
51 subsection. If such documentation is not provided, the retirement system may deem the
52 retiree to have exceeded the limitations provided in this subsection.

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

57 8. (1) An individual to whom the state board grants a certificate under this
58 section may be a substitute teacher in a public school in the state if the school district
59 agrees to employ the individual as a substitute teacher and such individual has
60 completed a background check as required in subsection 10 of this section.

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

64 9. Each school district may develop an orientation for individuals to whom the
65 state board grants a certificate under this section for such individuals employed by the
66 school district and may require such individuals to complete such orientation. Such
67 orientation shall contain at least two hours of subjects appropriate for substitute
68 teachers and shall contain instruction on the school district's best practices for
69 classroom management.

70 10. Beginning January 1, 2023, any substitute teacher may, at the time such
71 substitute teacher submits the fingerprints and information required for the
72 background check required under section 168.021, designate up to five school
73 districts to which such substitute teacher has submitted an application for substitute
74 teaching to receive the results of the substitute teacher's criminal history background
75 check and fingerprint collection. The total amount of any fees for disseminating such
76 results to up to five school districts under this subsection shall not exceed fifty dollars.

77 11. The state board may exercise the board's authority under chapter 161 to
78 promulgate all necessary rules and regulations necessary for the administration of this
79 section.

168.037. 1. The department of elementary and secondary education shall create and maintain a web-based survey for collecting anonymous information from substitute teachers in Missouri public schools. The survey will collect anonymous, nonbiased, real-time data that school districts, charter schools, and the state can access to study and improve the effectiveness of substitute teachers in supporting instruction and learning and to improve circumstances that may cause a shortage of available substitute teachers.

2. (1) Each substitute teacher in a public school shall complete the survey described in subsection 1 of this section at the end of each day of teaching. The district or charter school in which the substitute teacher is teaching for that day shall provide, by email, a web link to the survey. If needed, the district or charter school shall also provide brief access to a computer or other connected device sufficient to allow the survey to be completed. The survey can also be completed on-site by the substitute teacher using a personal device.

(2) The survey described in subsection 1 of this section shall include at a minimum, questions regarding: the age and level of education of the substitute teacher, the date of teaching, the district and school, the grade or grades taught, information about support and interaction with school staff, any student health or safety issues experienced, and rate of substitute teacher pay.

3. Districts and charter schools shall annually provide information to the department of elementary and secondary education regarding: use of third-party employment agencies for substitute teachers, daily rate of substitute teacher pay, employment of full-time and part-time substitute teachers, substitute teacher recruitment efforts, the substitute teacher interview process, and use of current school staff as substitute teachers during other assigned time.

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

2. (1) Beginning July 1, 2023, subject to appropriation, a school district that enters into an agreement with another school district to share a superintendent shall receive additional state aid under this subsection.

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

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

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

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**
4 **the fifth grade; and**

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

7 **2. The department of elementary and secondary education may promulgate**
8 **rules to implement the provisions of this section. Any rule or portion of a rule, as that**
9 **term is defined in section 536.010, that is created under the authority delegated in this**
10 **section shall become effective only if it complies with and is subject to all of the**
11 **provisions of chapter 536 and, if applicable, section 536.028. This section and chapter**
12 **536 are nonseverable, and if any of the powers vested with the general assembly**
13 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
14 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority**
15 **and any rule proposed or adopted after August 28, 2022, 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**
4 **cancelled due to inclement weather and half the number of days lost or cancelled in excess of**
5 **six days if the makeup of the days is necessary to ensure that the district's students will attend**
6 **a minimum of one hundred forty-two days and a minimum of one thousand forty-four hours**
7 **for the school year except as otherwise provided in this section. Schools with a four-day**
8 **school week may 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
16 exempt from the requirement to make up days of school lost or cancelled due to inclement
17 weather in the school district when the school district has made up the six days required under
18 subsection 2 of this section and half the number of additional lost or cancelled days up to
19 eight days, 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
21 from the requirement to make up school lost or cancelled due to inclement weather in the
22 school district when the school district has made up the thirty-six hours required under
23 subsection 2 of this section and half the number of additional lost or cancelled hours up to
24 forty-eight, resulting 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
26 meet the minimum school calendar requirement of at least one hundred seventy-four days for
27 schools with a five-day school week or one hundred forty-two days for schools with a four-
28 day school week and one thousand forty-four hours of actual pupil attendance or, in school
29 year 2019-20 and subsequent years, one thousand forty-four hours of actual pupil attendance,
30 upon request, a waiver to be excused from such requirement. This waiver shall be requested
31 from the commissioner of education and may be granted if the school was closed due to
32 circumstances 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
35 cancelled due to exceptional or emergency circumstances during a school year if the district
36 has an alternative methods of instruction plan approved by the department of elementary and
37 secondary education for such school year. Exceptional or emergency circumstances shall
38 include, but not be limited to, inclement weather, a utility outage, or an outbreak of a
39 contagious disease. The department of elementary and secondary education shall not approve
40 any such plan unless the district demonstrates that the plan will not negatively impact
41 teaching and learning in the district.

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

48 (3) A district with an approved alternative methods of instruction plan shall not use
49 alternative methods of instruction as provided for in the plan for more than thirty-six hours
50 during a school year. A district that has used such alternative methods of instruction for
51 thirty-six hours during a school year shall be required, notwithstanding subsections 2 and 3 of

52 this section, to make up any subsequent hours of school lost or cancelled due to exceptional or
53 emergency circumstances during such school year.

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

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

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

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

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

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

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

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

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

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

80 6. ~~For the 2018-19 school year, a district shall be exempt from the requirements of~~
81 ~~subsections 2 and 3 of this section, and only be required to make up the first six days of~~
82 ~~school lost or cancelled due to inclement weather]~~ **In the 2022-23 school year and**
83 **subsequent years, a school district's one-half-day education programs shall be subject to**
84 **the following provisions in proportions appropriate for a one-half-day education**
85 **program, as applicable:**

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

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

89 **(3) Waiver provisions in subsection 4 of this section; and**
90 **(4) Approved alternative methods of instruction provisions in subsection 5 of**
91 **this section.**

 302.010. Except where otherwise provided, when used in this chapter, the following
2 words and phrases mean:

3 (1) "Circuit court", each circuit court in the state;

4 (2) "Commercial motor vehicle", a motor vehicle designed or regularly used for
5 carrying freight and merchandise, or more than fifteen passengers;

6 (3) "Conviction", any final conviction; also a forfeiture of bail or collateral deposited
7 to secure a defendant's appearance in court, which forfeiture has not been vacated, shall be
8 equivalent to a conviction, except that when any conviction as a result of which points are
9 assessed pursuant to section 302.302 is appealed, the term "conviction" means the original
10 judgment of conviction for the purpose of determining the assessment of points, and the date
11 of final judgment affirming the conviction shall be the date determining the beginning of any
12 license suspension or revocation pursuant to section 302.304;

13 (4) "Criminal history check", a search of criminal records, including criminal history
14 record information as defined in section 43.500, maintained by the Missouri state highway
15 patrol in the Missouri criminal records repository or by the Federal Bureau of Investigation as
16 part of its criminal history records, including, but not limited to, any record of conviction,
17 plea of guilty or nolo contendere, or finding of guilty in any state for any offense related to
18 alcohol, controlled substances, or drugs;

19 (5) "Director", the director of revenue acting directly or through the director's
20 authorized officers and agents;

21 (6) "Farm tractor", every motor vehicle designed and used primarily as a farm
22 implement for drawing plows, mowing machines and other implements of husbandry;

23 (7) "Highway", any public thoroughfare for vehicles, including state roads, county
24 roads and public streets, avenues, boulevards, parkways, or alleys in any municipality;

25 (8) "Incompetent to drive a motor vehicle", a person who has become physically
26 incapable of meeting the prescribed requirements of an examination for an operator's license,
27 or who has been adjudged by a probate division of the circuit court in a capacity hearing of
28 being incapacitated;

29 (9) "License", a license issued by a state to a person which authorizes a person to
30 operate a motor vehicle;

31 (10) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks
32 except motorized bicycles, as defined in section 307.180 and electric bicycles, as defined in
33 section 301.010;

34 (11) "Motorcycle", a motor vehicle operated on two wheels; however, this definition
35 shall not include motorized bicycles or electric bicycles as such terms are defined in section
36 301.010;

37 (12) "Motortricycle", a motor vehicle operated on three wheels, including a
38 motorcycle operated with any conveyance, temporary or otherwise, requiring the use of a
39 third wheel, but excluding an electric bicycle as defined in section 301.010;

40 (13) "Moving violation", that character of traffic violation where at the time of
41 violation the motor vehicle involved is in motion, except that the term does not include the
42 driving of a motor vehicle without a valid motor vehicle registration license, or violations of
43 sections 304.170 to 304.240, inclusive, relating to sizes and weights of vehicles;

44 (14) "Municipal court", every division of the circuit court having original jurisdiction
45 to try persons for violations of city ordinances;

46 (15) "Nonresident", every person who is not a resident of this state;

47 (16) "Operator", every person who is in actual physical control of a motor vehicle
48 upon a highway;

49 (17) "Owner", a person who holds the legal title of a vehicle or in the event a vehicle
50 is the subject of an agreement for the conditional sale or lease thereof with the right of
51 purchase upon performance of the conditions stated in the agreement and with an immediate
52 right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a
53 vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be
54 deemed the owner for the purpose of sections 302.010 to 302.540;

55 (18) "Record" includes, but is not limited to, papers, documents, facsimile
56 information, microphotographic process, electronically generated or electronically recorded
57 information, digitized images, deposited or filed with the department of revenue;

58 (19) "Residence address", "residence", or "resident address" shall be the location at
59 which a person has been physically present, and that the person regards as home. A residence
60 address is a person's true, fixed, principal, and permanent home, to which a person intends to
61 return and remain, even though currently residing elsewhere;

62 (20) "Restricted driving privilege", a sixty-day driving privilege issued by the director
63 of revenue following a suspension of driving privileges for the limited purpose of driving in
64 connection with the driver's business, occupation, employment, formal program of secondary,
65 postsecondary or higher education, or for an alcohol education or treatment program or
66 certified ignition interlock provider, or a ninety-day interlock restricted privilege issued by
67 the director of revenue for the limited purpose of driving in connection with the driver's
68 business, occupation, employment, seeking medical treatment for such driver or a dependent
69 family member, attending school or other institution of higher education, attending alcohol-
70 or drug-treatment programs, seeking the required services of a certified ignition interlock

71 provider, fulfilling court obligations, including required appearances and probation and parole
72 obligations, religious services, the care of a child or children, including scheduled visitation
73 or custodial obligations pursuant to a court order, fueling requirements for any vehicle
74 utilized, and seeking basic nutritional requirements;

75 (21) "School bus", when used in sections 302.010 to 302.540, means any motor
76 vehicle, either publicly or privately owned, **that is designed for carrying more than ten**
77 **passengers and that is** used to transport students to and from school, or to transport pupils
78 properly chaperoned to and from any place within the state for educational purposes. The
79 term "school bus" shall not include a bus operated by a public utility, municipal corporation or
80 common carrier authorized to conduct local or interstate transportation of passengers when
81 such bus is not traveling a specific school bus route but is:

82 (a) On a regularly scheduled route for the transportation of fare-paying passengers; or

83 (b) Furnishing charter service for the transportation of persons enrolled as students on
84 field trips or other special trips or in connection with other special events;

85 (22) "School bus operator", an operator who operates a school bus as defined in
86 subdivision (21) of this section in the transportation of any schoolchildren and who receives
87 compensation for such service. The term "school bus operator" shall not include any person
88 who transports schoolchildren as an incident to employment with a school or school district,
89 such as a teacher, coach, administrator, secretary, school nurse, or janitor unless such person
90 is under contract with or employed by a school or school district as a school bus operator;

91 (23) "Signature", any method determined by the director of revenue for the signing,
92 subscribing or verifying of a record, report, application, driver's license, or other related
93 document that shall have the same validity and consequences as the actual signing by the
94 person providing the record, report, application, driver's license or related document;

95 (24) "Substance abuse traffic offender program", a program certified by the division
96 of alcohol and drug abuse of the department of mental health to provide education or
97 rehabilitation services pursuant to a professional assessment screening to identify the
98 individual needs of the person who has been referred to the program as the result of an
99 alcohol- or drug-related traffic offense. Successful completion of such a program includes
100 participation in any education or rehabilitation program required to meet the needs identified
101 in the assessment screening. The assignment recommendations based upon such assessment
102 shall be subject to judicial review as provided in subsection 14 of section 302.304 and
103 subsections 1 and 5 of section 302.540;

104 (25) "Vehicle", any mechanical device on wheels, designed primarily for use, or used
105 on highways, except motorized bicycles, electric bicycles, vehicles propelled or drawn by
106 horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers
107 or motorized wheelchairs operated by handicapped persons.

304.060. 1. The state board of education shall adopt and enforce regulations not
2 inconsistent with law to cover the design and operation of all school buses used for the
3 transportation of school children when owned and operated by any school district or privately
4 owned and operated under contract with any school district in this state, and such regulations
5 shall by reference be made a part of any such contract with a school district. **School districts**
6 **shall have the authority to use motor vehicles other than school buses for the purpose of**
7 **transporting school children.** The state board of education may adopt rules and regulations
8 governing the use of other vehicles owned by a district or operated under contract with any
9 school district in this state and used for the purpose of transporting school children~~].—The~~
10 ~~operator of such vehicle shall be licensed in accordance with section 302.272, and such~~
11 ~~vehicle],~~ **excluding motor vehicles operating under the authority of the department of**
12 **revenue under sections 387.400 to 387.440. Motor vehicles other than school buses used**
13 **to transport school children** shall transport no more children than the manufacturer suggests
14 as appropriate for such vehicle **and meet any additional requirements of the school**
15 **district.** The state board of education may also adopt rules and regulations governing the use
16 of authorized common carriers for the transportation of students on field trips or other special
17 trips for educational purposes. Every school district, its officers and employees, and every
18 person employed under contract by a school district shall be subject to such regulations. The
19 state board of education shall cooperate with the state transportation department and the state
20 highway patrol in placing suitable warning signs at intervals on the highways of the state.

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

30 3. Any officer or employee of any school district who violates any of the regulations
31 or fails to include obligation to comply with such regulations in any contract executed by him
32 on behalf of a school district shall be guilty of misconduct and subject to removal from office
33 or employment. Any person operating a school bus under contract with a school district who
34 fails to comply with any such regulations shall be guilty of breach of contract and such
35 contract shall be cancelled after notice and hearing by the responsible officers of such school
36 district.

37 4. Any other provision of the law to the contrary notwithstanding, in any county of
38 the first class with a charter form of government adjoining a city not within a county, school
39 buses may bear the word "special".

 Section B. Because immediate action is necessary to provide for the safety and
2 education of school children and increase the number of substitute teachers, the enactment of
3 section 168.036 of this act is deemed necessary for the immediate preservation of the public
4 health, welfare, peace, and safety, and is hereby declared to be an emergency act within the
5 meaning of the constitution, and the enactment of section 168.036 of this act shall be in full
6 force and effect upon its passage and approval.

✓