

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1753
101ST GENERAL ASSEMBLY

3294H.03C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 37.850, 160.261, 160.516, 160.2700, 160.2705, 161.097, 161.210, 161.700, 162.261, 162.281, 162.291, 162.471, 162.481, 162.491, 162.720, 162.961, 162.974, 167.225, 167.268, 167.640, 167.645, 168.021, 168.205, 169.596, 170.014, 171.033, 302.010, and 304.060, RSMo, and to enact in lieu thereof forty new sections relating to elementary and secondary education, with 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, 160.516, 160.2700, 160.2705, 161.097, 2 161.210, 161.700, 162.261, 162.281, 162.291, 162.471, 162.481, 162.491, 162.720, 162.961, 3 162.974, 167.225, 167.268, 167.640, 167.645, 168.021, 168.205, 169.596, 170.014, 171.033, 4 302.010, and 304.060, RSMo, are repealed and forty new sections enacted in lieu thereof, to 5 be known as sections 9.308, 37.850, 160.261, 160.516, 160.565, 160.2700, 160.2705, 6 161.097, 161.214, 161.241, 161.700, 161.854, 162.058, 162.261, 162.281, 162.291, 162.471, 7 162.481, 162.491, 162.563, 162.720, 162.961, 162.974, 167.225, 167.268, 167.640, 167.645, 8 167.850, 168.021, 168.036, 168.037, 168.205, 169.596, 170.014, 170.025, 171.033, 178.694, 9 186.080, 302.010, and 304.060, to read as follows:

9.308. The first full week in February is hereby designated as "School 2 Counseling Week" in the state of Missouri. Citizens of this state are encouraged to 3 participate in appropriate events and activities that recognize the important work of 4 school counselors in helping Missouri's students succeed in school and beyond.

37.850. 1. The commissioner of administration shall maintain the Missouri 2 accountability portal established in executive order 07-24 as a free, internet-based tool 3 allowing citizens to demand fiscal discipline and responsibility.

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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

40 elementary and secondary education. The department of elementary and secondary education
41 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.

160.516. 1. Notwithstanding the provisions of section 160.514, the state board of
2 education and the department of elementary and secondary education shall not be authorized
3 to mandate and are expressly prohibited from mandating the curriculum, textbooks, or other
4 instructional materials to be used in public schools. Each local school board shall be
5 responsible for the approval and adoption of curriculum used by the school district. The
6 provisions of this subsection shall not apply to schools and instructional programs
7 administered by the state board of education and the department of elementary and
8 secondary education or to school districts that are classified as unaccredited.

9 2. The state board of education and the department of elementary and secondary
10 education shall not require districts to use any appendix to the common core state standards.

11 **3. (1) For all school years beginning after June 30, 2023, each local school board**
12 **shall annually review all curricula intended for use by the school district in connection**
13 **with public school instruction on a rotating basis based on a schedule determined by a**
14 **board policy for curriculum development and review. The curricula to be reviewed**

15 shall be the curricula used for the district's math, social studies, science, English, foreign
16 language, fine arts, health, physical education, and vocational education, with all such
17 curricula being noticed for a review at least once every five years.

18 (2) The school board shall conduct such curricula review in at least one public
19 hearing. The school board shall determine the time and place for such hearing. A
20 notice stating the hour, date, and place of the hearing shall be published on the school
21 district's website or in at least one newspaper, qualified under the laws of this state, of
22 general circulation in the school district, or both, and in at least three public places
23 within the school district. Such notice shall be published and posted at least seven days
24 before the date of the hearing. The notice shall list the curricula to be reviewed. School
25 district residents shall have the opportunity to be heard at all public hearings held as
26 provided in this subsection.

27 (3) After the school board completes the review, the school board shall vote
28 whether to approve the curricula for use in the school district. Such vote shall occur no
29 sooner than four weeks after the school board completes the review. No curriculum
30 shall be used in any school district unless such curriculum has been reviewed and
31 approved as provided in this subsection and has been reviewed within the review
32 rotation established under subdivision (1) of this subsection.

33 4. The department of elementary and secondary education shall develop a model
34 policy for curriculum development and review. Each school district shall adopt such
35 model policy or a substantially similar policy for the 2023-24 school year and all
36 subsequent school years. Such policy shall include at least:

37 (1) A curriculum development process, which shall include a committee
38 composed of district teachers, community parents, district administration, and up to
39 three school board members;

40 (2) The schedule for which curriculum is to be revised and reviewed; and

41 (3) The process and procedures for the curricula review public hearing required
42 under subdivision (2) of subsection 3 of this section.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

161.097. 1. The state board of education shall establish standards and procedures by
2 which it will evaluate all teacher training institutions in this state for the approval of teacher
3 education programs. The state board of education shall not require teacher training
4 institutions to meet national or regional accreditation as a part of its standards and procedures
5 in making those evaluations, but it may accept such accreditations in lieu of such approval if

6 standards and procedures set thereby are at least as stringent as those set by the board. The
7 state board of education's standards and procedures for evaluating teacher training institutions
8 shall equal or exceed those of national or regional accrediting associations.

9 2. There is hereby established within the department of elementary and secondary
10 education the "Missouri Advisory Board for Educator Preparation", hereinafter referred to as
11 "MABEP". The MABEP shall advise the state board of education and the coordinating board
12 for higher education regarding matters of mutual interest in the area of quality educator
13 preparation programs in Missouri. **The advisory board shall include at least three active**
14 **elementary or secondary classroom teachers and at least three faculty members within**
15 **approved educator preparation programs. The classroom-teacher members shall be**
16 **selected to represent various regions of the state and districts of different sizes. The**
17 **faculty representatives shall represent institutions from various regions of the state and**
18 **sizes of program. The advisory board shall hold regular meetings that allow members**
19 **to share needs and concerns and plan strategies to enhance teacher preparation.**

20 3. Upon approval by the state board of education of the teacher education program at
21 a particular teacher training institution, any person who graduates from that program, and
22 who meets other requirements which the state board of education shall prescribe by rule,
23 regulation and statute shall be granted a certificate or license to teach in the public schools of
24 this state. However, no such rule or regulation shall require that the program from which the
25 person graduates be accredited by any national or regional accreditation association.

26 4. **The state board of education shall, in consultation with MABEP, align literacy**
27 **and reading instruction coursework for teacher education programs in early childhood,**
28 **kindergarten to fifth grade elementary teacher certification, middle school**
29 **communication arts, high school communication arts, and all reading and special**
30 **education certificates to include the following:**

31 **(1) Teacher candidates shall receive classroom and clinical training in:**

32 **(a) The core components of reading, including phonemic awareness, phonics,**
33 **fluency, comprehension, morphology, syntax, and vocabulary;**

34 **(b) Oral and written language development; and**

35 **(c) Identification of reading deficiencies, dyslexia, and other language**
36 **difficulties;**

37 **(2) Teacher candidates shall also have training on:**

38 **(a) The selection and use of reading curricula and instructional materials;**

39 **(b) The administration and interpretation of assessments;**

40 **(c) How to translate assessment results into effective practice in the classroom**
41 **specific to the needs of students; and**

42 **(d) Additional best practices in the field of literacy instruction as recommended**
43 **by the literacy advisory council under section 186.080.**

44 **5.** Any rule or portion of a rule, as that term is defined in section 536.010, that is
45 created under the authority delegated in this section shall become effective only if it complies
46 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
47 This section and chapter 536 are nonseverable and if any of the powers vested with the
48 general assembly pursuant to chapter 536 to review, to delay the effective date, or to
49 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
50 rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid
51 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 department shall publish an annual report based on the school innovation
80 waivers considered by the state board. The report shall document the waivers
81 submitted and waivers approved, at the statewide, district, and school building levels,
82 and provide data at the statewide, district, and school building levels of sufficient detail
83 to allow analysis of trends regarding the purposes for waiver requests, the statutes
84 waived or requested to be waived, any modifications approved by the state board and
85 the state board's actions to approve or deny waiver requests.

86 8. The board may promulgate rules implementing the provisions of this section.
87 Any rule or portion of a rule, as that term is defined in section 536.010, that is created
88 under the authority delegated in this section shall become effective only if it complies
89 with and is subject to all of the provisions of chapter 536 and, if applicable, section
90 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested
91 with the general assembly pursuant to chapter 536 to review, to delay the effective date,
92 or to disapprove and annul a rule are subsequently held unconstitutional, then the grant
93 of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall
94 be invalid and void.

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

5 2. The state board of education shall establish and periodically update a
6 statewide literacy plan that supports high-quality, evidence-based reading instruction
7 for all students.

8 3. The state board of education shall create an office of literacy. The
9 commissioner of education shall coordinate staff with roles relating to literacy and align
10 staff work around supporting best practices in reading instruction.

11 4. The state board of education shall align literacy and reading instruction
12 coursework for teacher education programs as required under subsection 4 of section
13 161.097.

14 5. Subject to appropriation, the department of elementary and secondary
15 education shall recruit and employ quality teacher trainers with expertise in reading
16 instruction and provide opportunities for evidence-based professional development in
17 reading instruction available for all active teachers.

18 6. The department shall maintain and publish data on reading outcomes,
19 provided that the report shall not include individually identifiable student data.

20 7. The department shall publish criteria and examples to help districts and
21 schools select and use evidence-based reading curricula and instructional materials.
22 Additionally, the department shall publish a list of curricula that ensure instruction is
23 explicit, systematic, diagnostic, and based on phonological awareness, phonics, fluency,
24 vocabulary, comprehension, morphology, syntax, and semantics. This shall be a
25 resource to districts.

26 8. The department shall provide online tools and training for active teachers on
27 evidence-based reading instruction.

28 9. (1) There is hereby created in the state treasury the "Evidence-based Reading
29 Instruction Program Fund". The fund shall be administered by the department and
30 used to reimburse school districts and charter schools for efforts to improve student
31 literacy including, but not limited to: initiatives that provide optional training and
32 materials to teachers regarding best practices in reading pedagogies; resources for
33 parents and guardians to assist them in teaching their children to read; funding for
34 reading tutoring programs outside of regular school hours; stipends for teachers who
35 undergo additional training in reading instruction, which may also count toward
36 professional development requirements; and funding for summer reading programs.
37 The fund shall consist of moneys appropriated annually by the general assembly from
38 general revenue to such fund, any moneys paid into the state treasury and required by
39 law to be credited to such fund, and any gifts, bequests, or donations to such fund. The
40 state treasurer shall be custodian of the fund. In accordance with sections 30.170 and
41 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated

42 **fund and, upon appropriation, moneys in this fund shall be used solely as provided in**
43 **this section. The fund shall be kept separate and apart from all other moneys in the**
44 **state treasury.**

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

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

161.700. 1. This section shall be known as the "Holocaust Education and Awareness
2 Commission Act".

3 2. There is hereby created a permanent state commission known as the "Holocaust
4 Education and Awareness Commission". The commission shall be housed in the department
5 of elementary and secondary education and shall promote implementation of ~~[holocaust]~~
6 **Holocaust** education and awareness programs in Missouri in order to encourage
7 understanding of the ~~[holocaust]~~ **Holocaust** and discourage bigotry.

8 3. The commission shall be composed of twelve members to be appointed by the
9 governor with advice and consent of the senate. The makeup of the commission shall be:

- 10 (1) The commissioner of higher education;
11 (2) The commissioner of elementary and secondary education;
12 (3) The president of the University of Missouri system; and
13 (4) Nine members of the public, representative of the diverse religious and ethnic
14 heritage groups populating Missouri.

15 4. The ~~[holocaust]~~ **Holocaust** education and awareness commission may receive such
16 funds as appropriated from public moneys or contributed to it by private sources. ~~[H]~~ **The**
17 **commission** may sponsor programs or publications to educate the public about the crimes of
18 genocide in an effort to deter indifference to crimes against humanity and human suffering
19 wherever they occur.

20 5. The term "~~[holocaust]~~ **Holocaust**" shall be defined as the period from 1933 through
21 1945 when six million Jews and millions of others were murdered by Nazi Germany and its
22 collaborators as part of a structured, state-sanctioned program of genocide.

23 6. The commission may employ an executive director and such other persons to carry
24 out its functions.

25 **7. (1) To educate students about the Holocaust and inspire in students a sense of**
26 **responsibility to recognize and uphold human value and to prevent future atrocities, the**
27 **second week in April shall be designated as "Holocaust Education Week".**

28 **(2) Holocaust education shall be taught during a week as determined by each**
29 **school district and shall include age-appropriate instruction to elementary school**
30 **students not lower than the sixth grade and high school students as determined by each**
31 **school district. Such instruction shall include, but not be limited to:**

32 **(a) Information about the history of and lessons learned from the Holocaust;**

33 **(b) Participation, in person or using technology, in learning projects about the**
34 **Holocaust; and**

35 **(c) The use of materials developed or supported by the Holocaust education and**
36 **awareness commission, the United States Holocaust Memorial Museum, or the St. Louis**
37 **Kaplan Feldman Holocaust Museum.**

38 **(3) Based on the instructional materials provided under paragraph (c) of**
39 **subdivision (2) of this subsection, the department of elementary and secondary**
40 **education shall develop a curriculum framework of instruction for studying the**
41 **Holocaust. The department shall make such curriculum framework available to school**
42 **districts beginning in the 2023-24 school year.**

43 **(4) Each school district shall adopt the curriculum provided by the department**
44 **of elementary and secondary education under subdivision (3) of this subsection or a**
45 **substantially similar curriculum beginning in the 2023-24 school year. Each school**
46 **district shall determine the minimum amount of instruction time that qualifies as a unit**
47 **of instruction satisfying the requirements of this subsection.**

48 **(5) Each school district shall provide a plan of professional development for**
49 **teachers to ensure such teachers are adequately prepared to provide the instruction**
50 **required under this subsection.**

51 **(6) This subsection shall apply in the 2023-24 school year and all subsequent**
52 **school years.**

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

2 **(1) "Individualized education program" or "IEP", a written statement for a**
3 **child with a disability that is developed, reviewed, and revised in accordance with 34**
4 **CFR 300.320 to 300.324 and under 20 U.S.C. Section 1401, as amended;**

5 **(2) "Local educational agency" or "LEA", a public school or other political**
6 **subdivision of the state serving any student with an IEP;**

7 **(3) "Parent", as defined in 34 CFR 300.30;**

8 **(4) "Public school", the same definition as in section 160.011.**

9 **2. Each local educational agency shall implement parental consent procedures as**
10 **described in 34 CFR 300.300 and this section.**

11 **3. Each local educational agency shall obtain written parental consent for initial**
12 **placement, annual placement, placement change, removal of a service or services, or**

13 reduction of service minutes by more than twenty-five percent in the individualized
14 education program of a child with disabilities prior to such placement, removal, or
15 reduction. The LEA shall maintain written documentation of the date of parental
16 consent for initial placement, annual placement, or revision to the IEP.

17 4. If the parents and local educational agency fail to reach an agreement on the
18 child's individualized education program but reach an agreement on certain IEP
19 services or interim placement, the child's new IEP shall be implemented in the areas of
20 agreement and the child's last agreed-upon IEP shall remain in effect in the areas of
21 disagreement until the disagreement is resolved.

22 5. Parents have the right to visit any program or classroom proposed for their
23 child before consenting to IEP changes if the child is identified as eligible for special
24 education services.

25 6. The department of elementary and secondary education shall adopt a parental
26 consent form that each local educational agency shall use for any action related to a
27 child's individualized education program. Such form shall be provided to the parent in
28 the parent's native language, as described in 34 CFR 300.503, and shall include at least
29 the following:

30 (1) A statement that the parent is a participant of the child's IEP team and has
31 the right to consent or refuse consent to the actions as described in this section proposed
32 by the IEP team or LEA. The statement shall include at least information that the
33 refusal of parental consent means that the school district has no authority to proceed
34 with the actions without parental consent or the LEA filing a due process complaint in
35 accordance with 34 CFR 300.507 to 300.508;

36 (2) A "Does consent" box, signature line, and date line;

37 (3) A "Does NOT consent" box, signature line, and date line; and

38 (4) A "Partial consent" box, signature line, date line, and space indicating the
39 areas of agreement.

40 7. A local educational agency shall not proceed with implementing a child's
41 individualized education program without parental consent unless the LEA documents
42 reasonable efforts, as outlined in the procedural safeguards notice required under 34
43 CFR 300.504, to obtain the parent's consent and the parent has failed to respond or the
44 LEA obtains approval through a due process complaint and hearing in which the
45 hearing officer or commissioner finds that the IEP with the proposed change or changes
46 provides for a free appropriate public education for the student in accordance with 34
47 CFR 300.507 to 300.513.

48 8. If a local educational agency and parent fail to reach an agreement, either
49 party may request a facilitated individualized education program meeting, mediation,

50 due process complaint and hearing, or other dispute resolution options as outlined in the
51 procedural safeguards notice.

52 **9. This section shall not be construed to abrogate any parental right identified in**
53 **the Individuals with Disabilities Education Act (IDEA) and such act's implementing**
54 **regulations.**

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 ~~[#]~~ **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.

167.225. 1. As used in **subsections 1 to 4 of** this section, the following terms mean:

2 (1) "Braille", the system of reading and writing through touch;

3 (2) "Student", any student who has an impairment in vision that, even with correction,
4 adversely affects a child's educational performance and who is determined eligible for special
5 education services under the Individuals with Disabilities Education Act.

6 2. All students shall receive instruction in braille reading and writing as part of their
7 individualized education plan unless the individual education program team determines, after
8 an evaluation of a student's reading and writing skills, needs, and appropriate reading and
9 writing media, including an evaluation of the student's future needs for instruction in braille
10 or the use of braille, that instruction in braille or the use of braille is not appropriate. No
11 student shall be denied instruction in braille reading and writing solely because the student
12 has some remaining vision.

13 3. Instruction in braille reading and writing shall be sufficient to enable each student
14 to communicate effectively and efficiently at a level commensurate with the student's sighted
15 peers of comparable grade level and intellectual functioning. The student's individualized
16 education plan shall specify:

17 (1) How braille will be implemented as the primary mode for learning through
18 integration with normal classroom activities. If braille will not be provided to a child who is
19 blind, the reason for not incorporating it in the individualized education plan shall be
20 documented therein;

21 (2) The date on which braille instruction will commence;

22 (3) The level of competency in braille reading and writing to be achieved by the end
23 of the period covered by the individualized education plan; and

24 (4) The duration of each session.

25 4. As part of the certification process, teachers certified in the education of blind and
26 visually impaired children shall be required to demonstrate competence in reading and
27 writing braille. The department of elementary and secondary education shall adopt
28 assessment procedures to assess such competencies which are consistent with standards
29 adopted by the National Library Service for the Blind and Physically Handicapped, Library of
30 Congress, Washington, D. C.

31 **5. (1) Subsections 5 to 9 of this section shall be known and may be cited as the**
32 **"Blind Students' Rights to Independence, Training, and Education Act" or the "BRITE**
33 **Act".**

34 **(2) As used in subsections 5 to 9 of this section, the following terms mean:**

35 **(a) "Accessible assistive technology device", an assistive technology device, as**
36 **defined in 20 U.S.C. Section 1401, as amended, that provides blind or visually impaired**
37 **students the benefits of an educational program in an equally effective and integrated**
38 **manner as that provided to nondisabled students;**

39 **(b) "Adequate instruction", the quality teaching of blind or visually impaired**
40 **students, as it pertains to general education and necessary blindness skills, in alignment**
41 **with the U.S. Department of Education's definition of free appropriate public education,**
42 **as defined in 20 U.S.C. Section 1401, as amended;**

43 **(c) "Blind or visually impaired student":**

44 **a. A child who:**

45 **(i) Has an individualized education program (IEP) or an individualized family**
46 **service plan (IFSP), as such terms are defined in 20 U.S.C. Section 1401, as amended, or**
47 **a 504 plan created under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C.**
48 **Section 794, as amended; and**

49 **(ii) Is identified as having the disability of "visual impairment (including**
50 **blindness)" within the definition of "child with a disability" in 20 U.S.C. Section 1401,**
51 **as amended; or**

52 **b. An individual who is deaf-blind under the federal Individuals with Disabilities**
53 **Education Act (IDEA), as amended, or other federal law;**

54 **(d) "Braille", the system of reading and writing through touch;**

55 **(e) "Expanded core curriculum", a disability-specific curriculum that**
56 **compensates for vision loss, is foundational to all other learning, and that covers the**
57 **nine essential areas of compensatory access, sensory efficiency, assistive technology,**
58 **orientation and mobility, social interaction, recreation and leisure, independent living,**
59 **self-determination, and career education;**

60 **(f) "Grade level instruction", instruction that aligns with state-designated**
61 **content standards and curricula for students of the same age or level of maturity, based**
62 **on the development of intellectual, emotional, physical, and behavioral capacity that is**
63 **typical for the student's age or age group;**

64 **(g) "Local educational agency" or "LEA", the same definition as in 20 U.S.C.**
65 **Section 1401, as amended;**

66 **(h) "Nonvisual access", the ability of a blind or visually impaired student to use**
67 **all functions of a device, without using the student's vision, in an equally effective,**

68 **equally integrated manner and with equivalent ease of use as the student's sighted**
69 **peers;**

70 **(i) "Nonvisual skills", skills that are taught in such a way that the student does**
71 **not need to use any vision;**

72 **(j) "State educational agency", the same definition as in 20 U.S.C. Section 1401,**
73 **as amended;**

74 **(k) "Technology-mediated learning environments and methods", the settings in**
75 **which electronic and information technology including, but not limited to, the following**
76 **is used:**

77 **a. Computer-based applications and simulations;**

78 **b. Personal and mobile computing devices such as smartphones or tablets;**

79 **c. Web-based platforms;**

80 **d. Online or distance-learning programs;**

81 **e. Video games; and**

82 **f. Exhibits or installations that feature digital media, wearable technology, or**
83 **other tools that support participants' engagement with new knowledge, skills, or**
84 **practices;**

85 **(l) "U.S. Access Board", the independent federal agency created in 1973 that**
86 **promotes equality for people with disabilities through leadership in accessible design**
87 **and the development of accessibility guidelines and standards.**

88 **6. (1) Each blind or visually impaired student shall receive instruction in Braille**
89 **reading and writing as part of such student's individualized education program (IEP) or**
90 **individualized family support plan (IFSP) unless the IEP or IFSP team determines, after**
91 **an evaluation of the student's reading and writing skills, needs, and appropriate reading**
92 **and writing media including, but not limited to, an evaluation of the student's needs for**
93 **instruction in Braille or the use of Braille, that instruction in Braille or the use of Braille**
94 **is not appropriate. No blind or visually impaired student shall be denied instruction in**
95 **Braille reading and writing solely because the student has some vision. During the**
96 **evaluation and IEP process, consideration shall be given regarding appropriate Braille**
97 **instruction based on a potential vision loss due to a degenerative medical diagnosis.**

98 **(2) In conjunction with the U.S. Department of Education's Braille presumption**
99 **requirement in the federal Individuals with Disabilities Education Act (IDEA), as**
100 **amended, instruction in Braille reading and writing shall be sufficient to enable each**
101 **blind or visually impaired student to communicate effectively and efficiently at a level**
102 **commensurate with the student's same age and with the student's nondisabled peers of**
103 **comparable intellectual ability. The blind or visually impaired student's individualized**
104 **education program (IEP) or individualized family support plan (IFSP) shall specify:**

105 **(a) The results obtained from an evaluation of the blind or visually impaired**
106 **student's reading and writing skills, needs, and appropriate reading and writing media**
107 **including, but not limited to, an evaluation of the blind or visually impaired student's**
108 **needs for instruction in Braille or the use of Braille including, but not limited to,**
109 **consideration regarding appropriate Braille instruction based on a potential vision loss**
110 **due to a degenerative medical diagnosis;**

111 **(b) How Braille will be implemented, if needed as determined by the IEP team,**
112 **as a primary mode for learning through integration with other classroom activities;**

113 **(c) The length of the period of instruction and the frequency and duration of**
114 **each instructional session as determined by the IEP team, which shall, as closely as**
115 **appropriate based on individual needs, be identical to the level of instruction provided**
116 **to nondisabled peers; and**

117 **(d) The level of competency in Braille reading and writing to be achieved by the**
118 **end of the period.**

119 **(3) Use, and provision, of Braille materials for reading and writing shall be**
120 **addressed in 504 plans for blind or visually impaired students created under Section 504**
121 **of the federal Rehabilitation Act of 1973, 29 U.S.C. Section 794, as amended.**

122 **7. In conjunction with academic achievement and functional performance**
123 **requirements of 34 CFR 300.320(a)(2)(i), as amended, instruction in expanded core**
124 **curriculum shall be provided to blind or visually impaired students to support progress**
125 **in the general education curriculum.**

126 **8. (1) Each blind or visually impaired student shall receive instruction in**
127 **assistive technology as part of the student's individualized education program (IEP) or**
128 **individualized family support plan (IFSP) unless the IEP or IFSP team determines, after**
129 **an evaluation of a student's needs, that instruction in assistive technology is not**
130 **appropriate. No student shall be denied instruction in assistive technology solely**
131 **because the student has some vision.**

132 **(2) In conjunction with accessible assistive technology requirements of the**
133 **federal Individuals with Disabilities Education Act (IDEA) in 20 U.S.C. 1412(a)(12)(B)**
134 **(i), as amended, the blind or visually impaired student shall receive grade-level**
135 **instruction that will equip the blind or visually impaired student with the appropriate**
136 **technology-mediated learning environments and methods to perform on the same level**
137 **of proficiency expected of peers of comparable intellectual ability and grade level. The**
138 **blind or visually impaired student's IEP or IFSP shall specify:**

139 **(a) The results obtained from an assessment of the blind or visually impaired**
140 **student's skills, needs, and appropriate accessible assistive technology including, but not**

141 **limited to, an evaluation of the future needs for accessible assistive technology training**
142 **or the use of accessible assistive technology;**

143 **(b) How accessible assistive technology will be implemented as a primary mode**
144 **for learning through integration with other classroom activities;**

145 **(c) The frequency and duration of each instructional session;**

146 **(d) The level of mastery of the accessible assistive technology specified by the**
147 **blind or visually impaired student's assessment to be achieved by the end of the period;**
148 **and**

149 **(e) Acknowledgment that either:**

150 **a. The blind or visually impaired student may transport the accessible assistive**
151 **technology to and from school without the need for payment, family assumption of**
152 **liability for loss or damage, or any other cost to the blind or visually impaired student or**
153 **the family; or**

154 **b. If the accessible assistive technology remains at school, the LEA will provide**
155 **duplicate accessible assistive technology in the blind or visually impaired student's home**
156 **without requiring payment, family assumption of liability for loss or damage, or any**
157 **other cost to the blind or visually impaired student or the family.**

158 **(3) Use, and provision, of accessible assistive technology shall be addressed in**
159 **504 plans for blind or visually impaired students created under Section 504 of the**
160 **federal Rehabilitation Act of 1973, 29 U.S.C. Section 794, as amended.**

161 **9. (1) Each blind or visually impaired student shall receive instruction in**
162 **orientation and mobility as part of the student's individualized education program**
163 **(IEP) or individualized family support plan (IFSP) unless the IEP or IFSP team**
164 **determines, after an evaluation of a student's needs, that instruction in orientation and**
165 **mobility is not appropriate. No student shall be denied instruction in orientation and**
166 **mobility solely because the student has some vision.**

167 **(2) In conjunction with orientation and mobility services requirements of 34**
168 **CFR 300.34(c)(7), as amended, blind or visually impaired students shall receive**
169 **orientation and mobility instruction to equip each blind or visually impaired student**
170 **with the age-appropriate tools, techniques, and nonvisual skills to navigate in and**
171 **around the student's home, schools, communities, and other environments as applicable,**
172 **and as expected of peers of comparable intellectual ability and grade level. The blind or**
173 **visually impaired student's IEP or IFSP shall specify:**

174 **(a) The results obtained from an evaluation of the blind or visually impaired**
175 **student's orientation and mobility needs including, but not limited to, an evaluation of**
176 **the blind or visually impaired student's future needs for instruction in orientation and**
177 **mobility;**

178 **(b) How orientation and mobility will be integrated into the home, school, and**
179 **community;**

180 **(c) The date on which orientation and mobility instruction will commence;**

181 **(d) The frequency and duration of each instructional session; and**

182 **(e) The level of mastery of orientation and mobility skills to be achieved by the**
183 **end of the period.**

184 **(3) Orientation and mobility equipment, accommodations, and modifications**
185 **shall be addressed in 504 plans for blind or visually impaired students created under**
186 **Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. Section 794, as amended.**

187 **(4) An orientation and mobility evaluation shall be conducted by a person who is**
188 **appropriately certified by the National Blindness Professional Certification Board**
189 **(NBPCB) with a National Orientation and Mobility Certification (NOMC), or through**
190 **the Academy for Certification of Vision Rehabilitation and Education Professionals**
191 **(ACVREP) as a Certified Orientation and Mobility Specialist (COMS), or who holds a**
192 **nationally recognized certification related to orientation and mobility.**

193 **(5) The orientation and mobility evaluations described in subdivision (4) of this**
194 **subsection shall occur in familiar and unfamiliar environments, during the daytime and**
195 **nighttime, and around the home, school, and community as determined age appropriate**
196 **by the blind or visually impaired student's IEP or IFSP.**

197 **10. (1) As part of the state educational agency's certification and renewal**
198 **process, educators hired to teach Braille shall be certified teachers of students with**
199 **visual impairments, hold a current and valid National Certification in Unified English**
200 **Braille (NCUEB) working under the supervision of a reading specialist, or hold a**
201 **nationally recognized certification related to Braille instruction.**

202 **(2) As part of the state educational agency's certification and renewal process,**
203 **educators hired to teach accessible assistive technology shall be certified teachers of**
204 **students with visual impairments, hold a valid and current Certified Assistive**
205 **Technology Instructional Specialist for People with Visual Impairments (CATIS), or**
206 **hold a valid and current National Certification in Access Technology for the Blind**
207 **(NCATB) or other nationally recognized certification related to assistive technology**
208 **instruction for individuals with visual impairments.**

209 **(3) As part of the state educational agency's certification and renewal process,**
210 **specialists hired to teach orientation and mobility shall hold a valid and current**
211 **National Orientation and Mobility Certification (NOMC) or hold a current and valid**
212 **Certified Orientation and Mobility Specialist (COMS) certification or other nationally**
213 **recognized certification related to orientation and mobility instruction for individuals**
214 **with visual impairments.**

215 **11. (1) LEAs shall deliver services to blind or visually impaired students in a**
216 **manner that at all times abides by requirements of the federal Individuals with**
217 **Disabilities Education Act (IDEA), Title II of the Americans with Disabilities Act, and**
218 **the Rehabilitation Act of 1973, as amended, including during declared local, state, or**
219 **national emergencies.**

220 **(2) LEAs shall seek and obtain proof of currently available certified**
221 **professionals from any company, agency, or individual the LEA intends to contract**
222 **with for services outlined in subsections 5 to 9 of this section.**

223 **(3) LEAs shall not impose any preclusions or limitations on a student to receive**
224 **instruction in orientation and mobility services in and around the home, school, or**
225 **community setting including during daytime and nighttime hours.**

226 **(4) LEAs may require annual written parental consent to conduct effective**
227 **instruction when such services are provided before or after regular school hours or**
228 **when such services are provided away from the educational institution or the blind or**
229 **visually impaired student's residence.**

230 **(5) If an LEA prohibits an orientation and mobility instructor from using the**
231 **instructor's preferred mode of transportation to transport blind or visually impaired**
232 **students to and from outside environments, the LEA shall provide an equally effective**
233 **transportation alternative for that purpose without cost to the orientation and mobility**
234 **instructor. If the blind or visually impaired student's family provides transportation for**
235 **the student, the LEA shall reimburse the expense.**

236 **12. (1) If an LEA requires an eye report, the LEA shall bear all costs associated**
237 **with obtaining such report. LEAs shall not delay an evaluation for eligibility based on**
238 **the absence or delay of such report.**

239 **(2) All electronic and information technology developed, procured, maintained,**
240 **or used by LEAs shall be compliant with the U.S. Access Board's Section 508 standards,**
241 **as amended.**

242 **(3) LEAs shall anticipate the need for nonvisual accessibility and adopt policies**
243 **and procedures to reduce or eliminate common barriers experienced by blind or**
244 **visually impaired students, parents, educators, administrators, and other staff.**

245 **13. Subsections 1 to 4 of this section shall apply in all school years ending before**
246 **July 1, 2022. Subsections 5 to 12 of this section shall apply in school year 2022-23 and all**
247 **subsequent school years.**

167.268. 1. Each ~~[local]~~ school district and charter school shall have on file a policy
2 for reading ~~[intervention]~~ success plans ~~[for any pupils of the district in grades kindergarten~~
3 ~~through three pursuant to the provisions of this section. Such plans shall identify strategies to~~
4 ~~be followed by the district teachers to raise a pupil identified as reading below grade level by~~

5 ~~recognized methods to reading at grade level by the end of the third grade. Recognized~~
6 ~~methods of identification may include but need not be limited to the scores of the pupil~~
7 ~~obtained through any established standardized testing program currently administered by the~~
8 ~~district, observations of classroom teachers, and documented classroom performance].~~ Each
9 **school district and charter school shall provide all parents and guardians of students,**
10 **including parents of students who are identified as having a substantial deficiency in**
11 **reading under subsection 1 of section 167.645, with a plan that includes suggestions for**
12 **regular parent-guided home reading.**

13 2. ~~[The state board of education]~~ **The department of elementary and secondary**
14 **education** shall develop guidelines to assist districts **and charter schools** in formulating
15 policies for reading ~~[intervention]~~ **success plans.** Such guidelines may include, but are not
16 limited to, **measures of reading proficiency, strategies for addressing reading**
17 **deficiencies,** timelines for measuring pupil improvement in reading, **and** information on
18 screening ~~[for and treatment]~~ of ~~[auditory]~~ dyslexia~~], and information on the Lindamood~~
19 ~~Auditory Conceptualization Test and the Auditory Discrimination in Depth Program].~~ Such
20 guidelines may also identify performance levels for pupils identified as handicapped or
21 severely handicapped and conditions under which such pupils ~~[are]~~ **may be** exempt from the
22 provisions of this section **and section 167.645.**

23 3. ~~[Each local school district enrolling a pupil identified as reading below grade level~~
24 ~~shall develop an individual plan of reading intervention for such pupil. The individual pupil's~~
25 ~~plan may include individual or group reading development activities. The plan may be~~
26 ~~developed after consultation with the pupil's parent or legal guardian]~~ **Each school district**
27 **and charter school shall provide intensive reading instruction to students as provided in**
28 **section 167.645.**

167.640. 1. School districts ~~[may]~~ **shall** adopt a policy with regard to student
2 promotion which may require remediation as a condition of promotion to the next grade level
3 for any student identified by the district as failing to master skills and competencies
4 established for that particular grade level by the district board of education. School districts
5 may also require parents or guardians of such students to commit to conduct home-based
6 tutorial activities with their children or, in the case of a student with disabilities eligible for
7 services pursuant to sections 162.670 to 162.1000, the individual education plan shall
8 determine the nature of parental involvement consistent with the requirements for a free,
9 appropriate public education.

10 2. Such remediation shall recognize that different students learn differently and shall
11 employ methods designed to help these students achieve at high levels. Such remediation
12 may include, but shall not necessarily be limited to, a mandatory summer school program
13 focused on the areas of deficiency or other such activities conducted by the school district

14 outside of the regular school day. Decisions concerning the instruction of a child who
15 receives special educational services pursuant to sections 162.670 to 162.1000 shall be made
16 in accordance with the child's individualized education plan.

17 3. School districts providing remediation pursuant to this section **or section 167.245**
18 outside of the traditional school day may count extra hours of instruction in the calculation of
19 average daily attendance as defined in section 163.011.

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

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

12 ~~(2) "Summer school", for reading instruction purposes, a minimum of forty hours of~~
13 ~~reading instruction and practice. A school district may arrange the hours and days of~~
14 ~~instruction to coordinate with its regular program of summer school.—~~

15 ~~2. For purposes of this section, methods of reading assessment shall be determined by~~
16 ~~each school district. Unless a student has been determined in the current school year to be~~
17 ~~reading at grade level or above, each school district shall administer a reading assessment or~~
18 ~~set of assessments to each student within forty five days of the end of the third grade year,~~
19 ~~except that the provisions of this subsection shall not apply to students receiving special~~
20 ~~education services under an individualized education plan pursuant to sections — 162.670 to~~
21 ~~162.999, to students receiving services pursuant to Section 504 of the Rehabilitation Act of~~
22 ~~1973 whose services plan includes an element addressing reading or to students determined to~~
23 ~~have limited English proficiency or to students who have been determined, prior to the~~
24 ~~beginning of any school year, to have a cognitive ability insufficient to meet the reading~~
25 ~~requirement set out in this section, provided that districts shall provide reading improvement~~
26 ~~plans for students determined to have such insufficient cognitive ability. The assessment~~
27 ~~required by this subsection shall also be required for students who enter a school district in~~
28 ~~grades four, five or six unless such student has been determined in the current school year to~~
29 ~~be reading at grade level or above.~~

30 ~~3. Beginning with school year 2002-03, for each student whose third grade reading~~
31 ~~assessment determines that such student is reading below second grade level, the school~~

~~32 district shall design a reading improvement plan for the student's fourth grade year. Such
33 reading improvement plan shall include, at a minimum, thirty hours of additional reading
34 instruction or practice outside the regular school day during the fourth grade year. The school
35 district shall determine the method of reading instruction necessary to enforce this subsection.
36 The school district may also require the student to attend summer school for reading
37 instruction as a condition of promotion to fourth grade. The department of elementary and
38 secondary education may, from funds appropriated for the purpose, reimburse school districts
39 for additional instructional personnel costs incurred in the implementation and execution of
40 the thirty hours of additional reading instruction minus the revenue generated by the school
41 district through the foundation formula for the additional reading instruction average daily
42 attendance.—~~

~~43 4. Each student for whom a reading improvement plan has been designed pursuant to
44 subsection 3 of this section shall be given another reading assessment, to be administered
45 within forty five days of the end of such student's fourth grade year. If such student is
46 determined to be reading below third grade level, the student shall be required to attend
47 summer school to receive reading instruction. At the end of such summer school instruction,
48 such student shall be given another reading assessment. If such student is determined to be
49 reading below third grade level, the district shall notify the student's parents or guardians, and
50 the student shall not be promoted to fifth grade. No student shall be denied promotion more
51 than once solely for inability to meet the reading standards set out in this section.~~

~~52 5. The process described in subsections 3 and 4 of this section shall be repeated as
53 necessary through the end of the sixth grade, with the target grade level rising accordingly.
54 Mandatory retention in grade shall not apply to grades subsequent to fourth grade.—~~

~~55 6. The mandatory process of additional reading instruction pursuant to this section
56 shall cease at the end of the sixth grade. The permanent record of students who are
57 determined to be reading below the fifth grade level at the end of sixth grade shall carry a
58 notation advising that such student has not met minimal reading standards. The notation shall
59 stay on the student's record until such time as the district determines that a student has met
60 minimal reading standards.—~~

~~61 7. Each school district shall be required to offer summer school reading instruction to
62 any student with a reading improvement plan. Districts may fulfill the requirement of this
63 section through cooperative arrangements with neighboring districts; provided that such
64 districts shall timely make all payments provided pursuant to such cooperative agreements.~~

~~65 8. A school district may adopt a policy that requires retention in grade of any student
66 who has been determined to require summer school instruction in reading and who does not
67 fulfill the summer school attendance requirement.—~~

68 9. ~~Nothing in this section shall preclude a school district from retaining any student in~~
69 ~~grade when a determination is made in accordance with district policy that retention is in the~~
70 ~~best interests of the student.—~~

71 10. ~~The state board of education shall not incorporate information about the number~~
72 ~~of students receiving additional instruction pursuant to this section into any element of any~~
73 ~~standard of the Missouri school improvement program or its successor accreditation program;~~
74 ~~provided, however, each district shall make available, upon the request of any parent, patron,~~
75 ~~or media outlet within the district, the number and percentage of students receiving~~
76 ~~remediation pursuant to this section. The information shall be presented in a way that does~~
77 ~~not permit personal identification of any student or educational personnel.—~~

78 11. ~~Each school district shall make a systematic effort to inform parents of the~~
79 ~~methods and materials used to teach reading in kindergarten through fourth grade, in terms~~
80 ~~understandable to a layperson and shall similarly inform parents of students for whom a~~
81 ~~reading improvement plan is required pursuant to this section.—]~~

82 **1. (1) Each school district and charter school shall assess all students enrolled in**
83 **kindergarten through grade three at the beginning and end of each school year for their**
84 **level of reading or reading readiness on state-approved reading assessments.**
85 **Additionally, all school districts and charter schools shall assess any newly enrolled**
86 **student in grades one through five for their level of reading or reading readiness on a**
87 **reading assessment from the state-approved list. At the beginning of the school year,**
88 **each school district and charter school shall provide a reading success plan to any**
89 **student who:**

90 **(a) Exhibits a substantial deficiency in reading that creates a barrier to the**
91 **child's progress in learning to read. The identification of such deficiency may be based**
92 **upon the most recent assessments or teacher observation; or**

93 **(b) Has been identified as being at risk of dyslexia in the statewide dyslexia**
94 **screening or has a formal diagnosis of dyslexia.**

95 **(2) For the purposes of this section, a substantial reading deficiency shall refer to**
96 **a student who is one or more grade level or levels behind in reading or reading**
97 **readiness; provided that nothing in this section shall be interpreted to prevent a school**
98 **district or charter school from offering a reading success plan to any student based on**
99 **an assessment completed at the start and end of the school year or teacher observation.**
100 **For any student entering the school district or charter school after the start of the school**
101 **year, such student shall be provided a reading success plan in the event the student has**
102 **been identified as having a substantial reading deficiency based on the student's most**
103 **recent assessment or otherwise being identified through teacher observation. The**
104 **student's reading proficiency shall be reassessed by reading assessments on the state-**

105 approved list. The student shall continue to be provided with intensive reading
106 instruction under a reading success plan until the reading deficiency is remedied.

107 2. The district or charter school shall notify the parent or guardian of any
108 student in kindergarten through grade three who exhibits a substantial deficiency in
109 reading, as described in subsection 1 of this section, at least annually in writing, and in
110 an appropriate, alternative manner for the parent or other guardian if necessary, of the
111 following:

112 (1) That the child has been identified as having a substantial deficiency in
113 reading;

114 (2) A description of the services currently provided to the child;

115 (3) A description of the proposed supplemental instructional services and
116 supports that the school district will provide to the child that are designed to remediate
117 the identified area of reading deficiency. For students identified being at risk of dyslexia
118 or those that have a diagnosis of dyslexia, the district shall provide an explanation that
119 the instruction that will be used to teach the child reading shall be explicit, systematic,
120 and diagnostic and based on phonological awareness, phonics, fluency, vocabulary,
121 comprehension, morphology, syntax, and semantics; and

122 (4) Strategies for parents and guardians to use in helping the child succeed in
123 reading proficiency including, but not limited to, the promotion of parent-guided home
124 reading.

125 3. If the school district or charter school provides a summer reading program
126 under this section, the district or charter school shall notify the parent or guardian of
127 each student who exhibits a substantial deficiency in reading of the opportunity to
128 attend the summer reading program.

129 4. If a student has a substantial reading deficiency at the end of third grade, the
130 student's parent or guardian and appropriate school staff shall discuss whether the
131 student should be retained in grade level, based on a consideration of all relevant factors
132 including, but not limited to, the reading deficiency, the student's progress in other
133 subject areas, and the student's overall intellectual, physical, emotional, and social
134 development. A decision to promote or retain a student with a substantial reading
135 deficiency at the end of grade three shall be made only after direct personal consultation
136 with the student's parent or guardian and after the formulation of a specific plan of
137 action to remedy the student's reading deficiency.

138 5. Each school district or charter school shall do all of the following:

139 (1) Provide students who are identified as having a substantial deficiency in
140 reading under subsection 1 of this section, have been identified as being at risk of
141 dyslexia in the statewide dyslexia screening, or have a formal diagnosis of dyslexia with

142 **intensive instructional services and supports specified in a reading success plan, as**
143 **appropriate according to student need, free of charge, to remediate the identified areas**
144 **of reading deficiency including, but not limited to, additional scientific, evidence-based**
145 **reading instruction and other strategies prescribed by the school district or charter**
146 **school, which may include, but are not limited to, the following:**

147 **(a) Small group or individual instruction;**

148 **(b) Reduced teacher-student ratios;**

149 **(c) More frequent progress monitoring;**

150 **(d) Tutoring or mentoring;**

151 **(e) Extended school day, week, or year; and**

152 **(f) Summer reading programs;**

153 **(2) For any student with a formal diagnosis of dyslexia or for a student who was**
154 **found to be at risk of dyslexia in the statewide dyslexia screening, the school district or**
155 **charter school shall provide evidence-based reading instruction that addresses**
156 **phonology, sound-symbol association, syllable instruction, morphology, syntax, and**
157 **semantics provided through systematic, cumulative, explicit, and diagnostic methods;**

158 **(3) At regular intervals, but not less than four times per year in a manner that**
159 **reflects progress through each school term, notify the parent or guardian of academic**
160 **and other progress being made by the student and give the parent or guardian other**
161 **useful information; and**

162 **(4) In addition to required reading enhancement and acceleration strategies,**
163 **provide all parents of students, including parents of students who are identified as**
164 **having a substantial deficiency in reading under subsection 1 of this section, with a plan**
165 **that includes suggestions for regular parent-guided home reading.**

166 **6. Each school district and charter school shall ensure that intensive reading**
167 **instruction through a reading development initiative shall be provided to each**
168 **kindergarten through grade five student who is assessed as exhibiting a substantial**
169 **deficiency in reading. In addition to the requirements otherwise provided, such**
170 **instruction shall also comply with all of the following criteria:**

171 **(1) Be provided to all kindergarten through grade five students who exhibit a**
172 **substantial deficiency in reading under this section. The assessment initiative shall**
173 **measure phonemic awareness, phonics, fluency, vocabulary, and comprehension;**

174 **(2) Be provided during regular school hours; and**

175 **(3) Provide a reading curriculum that meets the requirements of section 170.014**
176 **and at a minimum has the following specifications:**

177 **(a) Assists students assessed as exhibiting a substantial deficiency in reading to**
178 **develop the skills to read at grade level;**

179 **(b) Provides skill development in phonemic awareness, phonics, fluency,**
180 **vocabulary, and comprehension;**

181 **(c) Includes a scientifically based and reliable assessment;**

182 **(d) Provides initial and ongoing analysis of each student's reading progress; and**

183 **(e) Provides a curriculum in core academic subjects to assist the student in**
184 **maintaining or meeting proficiency levels for the appropriate grade in all academic**
185 **subjects.**

186 **7. School districts shall report to the department the specific intensive reading**
187 **interventions and supports implemented by the school district or charter school**
188 **pursuant to this section as well as the reading assessment data collected for**
189 **kindergarten to grade five. The department shall annually prescribe the components**
190 **of required or requested reports.**

191 **8. (1) Each school district and charter school shall address reading proficiency**
192 **as part of its comprehensive school improvement plan, drawing upon information about**
193 **children from assessments conducted under subsection 1 and the prevalence of**
194 **deficiencies identified by classroom, elementary school, and other student**
195 **characteristics. As part of its comprehensive school improvement plan or contract,**
196 **each school district or charter school shall review chronic early elementary absenteeism**
197 **for its impact on literacy development. If more than fifteen percent of an attendance**
198 **center's students are not at grade level in reading by the end of third grade, the**
199 **comprehensive school improvement plan or contract shall include strategies to reduce**
200 **that percentage including, but not limited to, school and community strategies to raise**
201 **the percentage of students who are proficient in reading.**

202 **(2) Each school district and charter school shall provide professional**
203 **development services to enhance the skills of elementary teachers in responding to**
204 **children's unique reading issues and needs and to increase the use of evidence-based**
205 **strategies.**

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

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

3 **(2) "Commissioner", the commissioner of education;**

4 **(3) "Recovery high school", a public high school that serves eligible students**
5 **diagnosed with substance use disorder or dependency as defined by the most recent**
6 **Diagnostic and Statistical Manual of Mental Disorders and that provides both a**
7 **comprehensive four-year high school education in an alternative public school setting**
8 **and a structured plan of recovery;**

9 **(4) "Sending district", the school district where a student attending or planning**
10 **to attend the recovery high school resides and from which the student is referred for**
11 **enrollment in a recovery high school.**

12 **2. (1) The commissioner may approve and authorize up to four pilot recovery**
13 **high schools, geographically located in metropolitan areas throughout the state, to be**
14 **established by school districts or groups of school districts for the purpose of**
15 **demonstrating the effectiveness of the recovery high school model in this state. The**
16 **commissioner shall issue a request for proposals from school districts to operate a pilot**
17 **recovery high school. Such proposals may be submitted by an individual school district**
18 **proposing to operate a recovery high school or by a group of school districts proposing**
19 **to jointly operate such a school. Such proposals shall be submitted to the commissioner**
20 **no later than December first of the school year prior to the school year in which the**
21 **recovery high school is proposed to begin operation. The approval of the board shall be**
22 **required for the recovery high school to begin operation.**

23 **(2) Proposals shall detail how the district or districts will satisfy the criteria for a**
24 **high school education program under state law and board rule and how the recovery**
25 **high school will satisfy the requirements for accreditation by the Association of**
26 **Recovery Schools or another recovery school accreditation organization authorized by**
27 **the board. The proposal shall include a financial plan outlining the anticipated public**
28 **and private funding that will allow the recovery high school to operate and meet the**
29 **school's educational and recovery criteria. The district or districts may partner with**
30 **one or more local nonprofit organizations or other local educational agencies regarding**
31 **establishment and operation of a recovery high school and may establish a joint board**
32 **to oversee the operation of the recovery high school as provided in a memorandum of**
33 **understanding entered with such organization or organizations.**

34 **(3) By approval of the proposal upon the recommendation of the commissioner,**
35 **the board shall be deemed to have authorized all necessary equivalencies and waivers of**
36 **regulations enumerated in the proposal.**

37 **(4) The commissioner may specify an authorization period for the recovery high**
38 **school, which shall be no less than four years. Before July first of each year the recovery**
39 **high school is in operation, the school district or group of school districts, in consultation**
40 **with the recovery high school, shall submit to the commissioner an analysis of the**
41 **recovery high school's educational, recovery, and other related outcomes as specified in**
42 **the proposal. The commissioner shall review the analysis and renew any recovery high**
43 **school meeting the requirements of this section and the requirements of the school's**
44 **proposal and may include terms and conditions to address areas needing correction or**
45 **improvement. The commissioner may revoke or suspend the authorization of a**

46 recovery high school not meeting the requirements of this section or the requirements of
47 the school's proposal.

48 (5) Pupil attendance, dropout rate, student performance on statewide
49 assessments, and other data considered in the Missouri school improvement program
50 and school accreditation shall not be attributed to the general accreditation of either a
51 sending district or the district or districts operating the recovery high school and may be
52 used by the commissioner only in the renewal process for the recovery high school as
53 provided in this subsection.

54 3. (1) A school district may enter into an agreement with a district or districts
55 operating a recovery high school for the enrollment of an eligible student who is
56 currently enrolled in or resides in the sending district.

57 (2) A parent or guardian may seek to enroll an eligible student residing in a
58 sending district in a recovery high school created under this section. A student over
59 eighteen years of age residing in a sending district may seek to enroll in a recovery high
60 school.

61 (3) An eligible student shall mean a student who is in recovery from substance
62 use disorder or substance dependency, or such a condition along with co-occurring
63 disorders such as anxiety, depression, and attention deficit hyperactivity disorder, and
64 who is determined by the recovery high school to be a student who would academically
65 and clinically benefit from placement in the recovery high school and is committed to
66 working on the student's recovery. The recovery high school shall consider available
67 information including, but not limited to, any recommendation of a drug counselor,
68 alcoholism counselor, or substance abuse counselor licensed or certified under
69 applicable laws and regulations.

70 (4) A recovery high school shall not limit or deny admission to an eligible student
71 based on race, ethnicity, national origin, disability, income level, proficiency in the
72 English language, or athletic ability.

73 4. (1) The recovery high school shall annually adopt a policy establishing a
74 tuition rate for its students no later than February first of the preceding school year.

75 (2) The sending district of an eligible student who is enrolled in and attending a
76 recovery high school shall pay tuition to the recovery high school equal to the lesser of:

77 (a) The tuition rate established under subdivision (1) of this subsection; or

78 (b) The state adequacy target, as defined in section 163.011, plus the average
79 sum produced per child by the local tax effort above the state adequacy target of the
80 sending district.

81 (3) If costs associated with the provision of special education and related
82 disability services to the student exceed the tuition to be paid under subdivision (2) of

83 **this subsection, the sending district shall remain responsible for paying the excess cost to**
84 **the recovery high school.**

85 **(4) The commissioner may enter into an agreement with the appropriate official**
86 **or agency of another state to develop a reciprocity agreement for otherwise eligible,**
87 **nonresident students seeking to attend a recovery high school in this state. A recovery**
88 **high school may enroll otherwise eligible students residing in a state other than this state**
89 **as provided in such reciprocity agreement. Such reciprocity agreement shall require the**
90 **out-of-state student's district of residence to pay to the recovery high school an annual**
91 **amount equal to one hundred five percent of the tuition rate for the recovery high school**
92 **established under this subsection. If an otherwise eligible student resides in a state that**
93 **is not subject to a reciprocity agreement, such student may attend a recovery high**
94 **school provided such student pays to the school one hundred five percent of the tuition**
95 **rate for the recovery high school established under this subsection. No student enrolled**
96 **and attending a recovery high school under this subdivision shall be included as a**
97 **resident pupil for any state aid purpose under chapter 163.**

98 **5. The board, in consultation with the department of mental health, may**
99 **promulgate rules to implement the provisions of this section. Any rule or portion of a**
100 **rule, as that term is defined in section 536.010, that is created under the authority**
101 **delegated in this section shall become effective only if it complies with and is subject to**
102 **all of the provisions of chapter 536 and, if applicable, section 536.028. This section and**
103 **chapter 536 are nonseverable, and if any of the powers vested with the general assembly**
104 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
105 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority**
106 **and any rule proposed or adopted after August 28, 2022, shall be invalid and void.**

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
2 **and maintain a web-based survey for collecting anonymous information from substitute**
3 **teachers in Missouri public schools. The survey will collect anonymous, nonbiased, real-**
4 **time data that school districts, charter schools, and the state can access to study and**
5 **improve the effectiveness of substitute teachers in supporting instruction and learning**
6 **and to improve circumstances that may cause a shortage of available substitute**
7 **teachers.**

8 **2. (1) Each substitute teacher in a public school shall complete the survey**
9 **described in subsection 1 of this section at the end of each day of teaching. The district**
10 **or charter school in which the substitute teacher is teaching for that day shall provide,**
11 **by email, a web link to the survey. If needed, the district or charter school shall also**
12 **provide brief access to a computer or other connected device sufficient to allow the**
13 **survey to be completed. The survey can also be completed on-site by the substitute**
14 **teacher using a personal device.**

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

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

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

6 **2. (1) Beginning July 1, 2023, subject to appropriation, a school district that**
7 **enters into an agreement with another school district to share a superintendent shall**
8 **receive additional state aid under this subsection.**

9 **(2) The department of elementary and secondary education shall annually**
10 **distribute thirty thousand dollars to any school district that shares a superintendent**
11 **under this subsection. Any such amount distributed to a school district shall be in**
12 **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.**

169.596. 1. Notwithstanding any other provision of this chapter to the contrary, a
2 retired certificated teacher receiving a retirement benefit from the retirement system
3 established pursuant to sections 169.010 to 169.141 may, without losing his or her retirement
4 benefit, teach full time for up to [~~two~~] **four** years for a school district covered by such
5 retirement system; provided that the school district has a shortage of certified teachers, as
6 determined by the school district, and provided that no such retired certificated teacher shall
7 be employed as a superintendent. The total number of such retired certificated teachers shall
8 not exceed, at any one time, the lesser of ten percent of the total teacher staff for that school
9 district, or five certificated teachers.

10 2. Notwithstanding any other provision of this chapter to the contrary, a person
11 receiving a retirement benefit from the retirement system established pursuant to sections
12 169.600 to 169.715 may, without losing his or her retirement benefit, be employed full time
13 for up to [~~two~~] **four** years for a school district covered by such retirement system; provided
14 that the school district has a shortage of noncertificated employees, as determined by the
15 school district. The total number of such retired noncertificated employees shall not exceed,
16 at any one time, the lesser of ten percent of the total noncertificated staff for that school
17 district, or five employees.

18 3. The employer's contribution rate shall be paid by the hiring school district.

19 4. In order to hire teachers and noncertificated employees pursuant to the provisions
20 of this section, the school district shall:

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

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

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

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

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

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

31 5. Any person hired pursuant to this section shall be included in the State Directory of
32 New Hires for purposes of income and eligibility verification pursuant to 42 U.S.C. Section
33 1320b-7.

170.014. 1. This section shall be known as the "Reading Instruction Act" and is
2 enacted to ensure that all public schools establish reading programs in kindergarten through
3 grade ~~three~~ **five** based in scientific research. **"Evidence-based reading instruction"**
4 **includes practices that have been proven effective through evaluation of the outcomes**
5 **for large numbers of students and are highly likely to be effective in improving reading**
6 **if implemented with fidelity.** Such programs shall include the essential components of
7 phonemic awareness, phonics, fluency, vocabulary, and comprehension, and all new teachers
8 who teach reading in kindergarten through grade three shall receive adequate training in these
9 areas.

10 2. ~~[The program described in subsection 1 of this section may include "explicit~~
11 ~~systematic phonics", which, for the purposes of this section, shall mean the methodology of~~
12 ~~pronouncing and reading words by learning the phonetic sound association of individual~~
13 ~~letters, letter groups, and syllables, and the principles governing these associations.~~

14 ~~3.]~~ Every public school in the state shall offer a reading program as described in
15 subsection 1 of this section for kindergarten through grade ~~three~~ **five**.

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.**

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

2 (1) **"Affiliate", the Dolly Parton's imagination library affiliate created under this**
 3 **section;**

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

5 (3) **"Eligible child", any child under five years of age who resides in this state;**

6 (4) **"Program", the imagination library of Missouri program established in this**
 7 **section;**

8 (5) **"Reading selection", a high-quality, age-appropriate book provided to an**
 9 **eligible child under the program established in this section.**

10 2. **There is hereby established in the department's office of childhood the**
 11 **"Imagination Library of Missouri Program", which shall be a statewide program for**
 12 **encouraging preschool children to read by providing monthly reading selections to the**
 13 **homes of children from birth to five years of age.**

14 3. **The office of childhood shall establish a nonprofit entity to work in**
 15 **conjunction with school districts in mailing monthly reading selections directly to the**
 16 **homes of eligible children. The entity shall be known as the "Dolly Parton's**

17 **Imagination Library Affiliate"** and shall be the statewide affiliate that works in
18 **conjunction with Dolly Parton's Imagination Library** and school districts to provide
19 **reading selections under this section.**

20 **4. Beginning in school year 2023-24 and continuing in each subsequent school**
21 **year, each school district shall, in partnership with the affiliate, give one reading**
22 **selection to each eligible child in the school district in each month, beginning as early as**
23 **the child's birth month through the month in which the child reaches five years of age.**
24 **Subject to appropriation, the costs of giving such reading selections to eligible children**
25 **shall be reimbursed to each school district from the imagination library of Missouri**
26 **fund created in this section.**

27 **5. The department shall promulgate rules to:**

28 **(1) Manage the daily operations of the program;**

29 **(2) Coordinate with organizations and public schools of this state to advance and**
30 **strengthen the program and promote enrollment growth;**

31 **(3) Develop, promote, and coordinate a public awareness program to make**
32 **donors aware of the opportunity to donate to the imagination library of Missouri fund;**

33 **(4) Develop, promote, and coordinate a public awareness program to make the**
34 **public aware of the opportunity to register children to receive age-appropriate books on**
35 **a monthly basis; and**

36 **(5) Allow the department to implement and administer the provisions of this**
37 **section.**

38 **6. (1) There is hereby created in the state treasury the "Imagination Library of**
39 **Missouri Program Fund", which shall consist of any gifts, bequests, grants, public or**
40 **private donations, transfers, or moneys appropriated under this section. The state**
41 **treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180,**
42 **the state treasurer may approve disbursements. The fund shall be a dedicated fund and,**
43 **upon appropriation, moneys in this fund shall be used solely as provided in this section.**

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

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

50 **7. The general assembly shall appropriate at least five million dollars annually to**
51 **the imagination library of Missouri program fund. In the department's budget requests**
52 **for school year 2023-24 and all subsequent school years, the department shall include a**
53 **plan to distribute sufficient moneys to school districts to allow each school district to**

54 give reading selections to all eligible children within the school district under this
55 section.

56 8. To comply with this section, a school district may, in coordination with the
57 department's office of childhood, enter into an agreement, partnership, or similar
58 arrangement with an adjacent school district. If the school district finds that no
59 adjacent school district gives reading selections to eligible children as provided in this
60 section, the school district may request the department's office of childhood and the
61 affiliate to assist the school district in complying with this section.

62 9. Under section 23.253 of the Missouri sunset act:

63 (1) The provisions of the new program authorized under this section shall
64 automatically sunset on December thirty-first four years after the effective date of this
65 section unless reauthorized by an act of the general assembly; and

66 (2) If such program is reauthorized, the program authorized under this section
67 shall automatically sunset on December thirty-first eight years after the effective date of
68 the reauthorization of this section; and

69 (3) This section shall terminate on September first of the calendar year
70 immediately following the calendar year in which the program authorized under this
71 section is sunset.

186.080. 1. The commissioner of education shall establish a literacy advisory
2 council. The council shall consist of not more than twenty members, appointed by the
3 commissioner, and shall include members representing the following stakeholder
4 groups:

5 (1) School boards;

6 (2) Charter schools;

7 (3) School superintendents;

8 (4) Elementary and secondary building principals;

9 (5) At least three teachers, including at least two teachers with expertise in
10 reading instruction;

11 (6) At least two special education educators;

12 (7) At least two parents of elementary and secondary school-age pupils who have
13 struggled with literacy proficiency;

14 (8) At least two community members who have struggled with literacy
15 proficiency or supported others who have struggled with literacy proficiency, at least
16 one of whom shall be a high school student;

17 (9) One member from a dyslexia advocacy group;

18 (10) Faculty members of institutions of higher education with approved teacher
19 preparation programs;

20 **(11) Professionals with expertise in reading instruction, reading interventions,**
21 **and how students learn to read, including one certified academic language therapist;**
22 **and**

23 **(12) Professionals with expertise in educational assessment data analysis.**

24 **2. The council shall meet at least twice per year to review best practices in**
25 **literacy instruction and related policy provisions. The department shall provide**
26 **necessary staff and resources for the work of the advisory council.**

27 **3. The council shall periodically provide recommendations to the commissioner**
28 **and the state board of education regarding any identified improvements to literacy**
29 **instruction and policy for students. The recommendations may include**
30 **recommendations for changes to state law, and the commissioner shall furnish any**
31 **such recommendations to the joint committee on education.**

32 **4. The council recommendations shall:**

33 **(1) Advise the department of elementary and secondary education on how to**
34 **implement and maintain the statewide literacy plan required under section 161.241 and**
35 **advise the department, school districts, and charter schools on ways to inform and**
36 **engage parents and other community members about the literacy plan;**

37 **(2) Provide advice as to what services the department should provide to school**
38 **districts and charter schools to support implementation of the plan and on staffing levels**
39 **and resources needed at the department to support the statewide effort to improve**
40 **literacy;**

41 **(3) Provide advice regarding the statewide plan for collecting literacy-related**
42 **data that informs:**

43 **(a) Literacy instructional practices;**

44 **(b) Teacher professional development in the field of literacy;**

45 **(c) What proficiencies and skills should be measured through literacy**
46 **assessments and how those assessments are incorporated into local assessment plans;**
47 **and**

48 **(d) How to identify school progress in achieving literacy outcomes, including**
49 **closing literacy gaps for students from historically underserved populations;**

50 **(4) Recommend best practices for tiered literacy instruction within a multi-**
51 **tiered system of supports to best improve and sustain literacy proficiency;**

52 **(5) Review literacy assessments and outcomes and provide ongoing advice as to**
53 **how to continuously improve those outcomes and sustain improvement; and**

54 **(6) Provide a means for members of the public to provide input and ask**
55 **questions concerning literacy issues.**

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".

2 ~~[161.210. 1. Notwithstanding any provision of law to the contrary, the~~
3 ~~state board of education is hereby granted authority to waive or modify any~~
4 ~~administrative rule adopted by the state board or policy implemented by the~~
5 ~~department of elementary and secondary education. School districts may~~
6 ~~submit applications for a waiver or modification authorized pursuant to this~~
7 ~~section. Each application shall include a written request by the school district~~
8 ~~or school districts and shall demonstrate that the intent of the rule or policy can~~
9 ~~be addressed in a more effective, efficient or economical manner or that the~~
10 ~~waiver or modification is necessary to implement a specific plan for improved~~
11 ~~student performance and school improvement. Prior to an application for~~
12 ~~waiver, the school district shall hold a public hearing regarding such waiver.~~
13 ~~2. The state board of education may grant waivers or modifications for~~
14 ~~a school district or school districts that successfully demonstrate the ability to~~
15 ~~address the intent of the rule or policy in a more effective, efficient or~~
16 ~~economical manner or when the waivers or modifications are demonstrated to~~
17 ~~be necessary to stimulate innovation or improve student performance,~~
18 ~~provided that the waiver or modification is based upon sound educational~~
19 ~~practices, does not endanger the health and safety of students or staff, and does~~
20 ~~not compromise equal opportunity for learning. Approved waivers or~~
21 ~~modifications shall remain in effect for a period not to exceed three school~~
22 ~~years and may be renewed by the state board of education upon application by~~
23 ~~the school district or school districts.~~
24 ~~3. This section shall not be construed to allow the state board of~~
25 ~~education to authorize the waiver of any statutory requirements relating to~~
~~teacher certification or teacher tenure.]~~

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

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