

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 2200**  
**99TH GENERAL ASSEMBLY**

4909H.03C

D. ADAM CRUMBLISS, Chief Clerk

---

---

**AN ACT**

To repeal sections 160.545, 162.1250, 167.231, 168.011, and 168.021, RSMo, and to enact in lieu thereof eleven new sections relating to elementary and secondary education.

---

---

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

Section A. Sections 160.545, 162.1250, 167.231, 168.011, and 168.021, RSMo, are  
2 repealed and eleven new sections enacted in lieu thereof, to be known as sections 160.430,  
3 160.432, 160.435, 160.545, 162.1250, 162.1251, 162.1252, 167.231, 168.011, 168.021, and  
4 170.039, to read as follows:

**160.430. 1. For purposes of this section and sections 160.432 and 160.435, "school  
2 of innovation" means a program approved by the school board of a school district with a  
3 curriculum, delivery method, or instructional model different from the traditional school  
4 model. A program qualifies as a school of innovation even if it does not have a building or  
5 facility that is separate from other district grade-level school buildings.**

**6 2. Students may attend a school of innovation and still be considered enrolled in a  
7 traditional school building for the purposes of cocurricular activities, extracurricular  
8 activities, and general courses available to both students in the school of innovation and  
9 students in the traditional public school setting.**

**10 3. The board of education of a school district may, by a majority vote of the entire  
11 board, establish a school of innovation. Before the vote, the board members shall prepare  
12 and distribute to all members a written description of the educational mission of the school  
13 of innovation, the research that supports that mission, the educational goals for the school  
14 of innovation, and the process the district intends to use to determine if the school of  
15 innovation is meeting those goals.**

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.

16           **4. The school day, school hours, and school term of a school of innovation may be**  
17 **different from other schools in the district. Schools of innovation shall be required to meet**  
18 **the minimum school day or school term requirements in sections 160.011, 160.041, 171.031,**  
19 **and 171.033.**

20           **5. For purposes of calculation and distribution of state school funding, attendance**  
21 **of a student enrolled in a school of innovation shall equal, upon completion of the school**  
22 **year, one hundred five percent of the hours of attendance possible for the same or similar**  
23 **program delivered in the traditional school setting offered in the district. State funding**  
24 **shall be calculated in two increments, fifty percent completion and one hundred percent**  
25 **completion, based on the student's completion of the program, with distribution of state**  
26 **funding to a school district at each increment equal to fifty-two and one-half percent of**  
27 **hours of attendance possible for the same or similar program delivered in the traditional**  
28 **program in the district.**

29           **6. For the first three years a school of innovation exists, the graduation rates,**  
30 **attendance rates, and scores on the statewide assessments established under section 160.518**  
31 **of the students enrolled in the school of innovation shall not be considered when**  
32 **determining a district's accreditation status, unless the district chooses for those scores and**  
33 **rates to be considered.**

34           **7. The board of a school district that has established a school of innovation shall**  
35 **annually review the overall academic performance of the school of innovation and the**  
36 **progress the school of innovation has made toward achieving the educational goals set**  
37 **when the school was established. The board may, by a majority vote of the entire board,**  
38 **alter, amend, extend, or change the goals or educational mission of the school of**  
39 **innovation. The board may at any time vote to revoke the school's status as a school of**  
40 **innovation.**

41           **8. A superintendent of a school district with a school of innovation, or his or her**  
42 **designee, may assign specific teachers and district employees to a school of innovation,**  
43 **regardless of existing policies, practices, or collective bargaining agreements.**

44           **9. (1) The board of a school district that has established a school of innovation**  
45 **may, at its discretion, pay a teacher assigned to and teaching in the school of innovation**  
46 **more than what the teacher would otherwise receive on the teacher salary schedule in**  
47 **order to compensate for the additional training, alternative lesson plans, extended hours,**  
48 **and additional duties associated with the position.**

49           **(2) Teachers assigned to a school of innovation may earn tenure in the district, but**  
50 **the teachers have no right or entitlement to continue to work in a school of innovation.**

51           **(3) Teaching contracts for teachers assigned to a school of innovation shall not**  
52 **include a set number of days, months, or working hours. A teacher assigned to a school**  
53 **of innovation shall receive a school calendar outlining general attendance expectations.**

54           **(4) If a district reassigns a teacher from a school of innovation and then pays the**  
55 **teacher on the teacher salary schedule for the district, the reassignment shall not be**  
56 **considered a demotion under sections 168.102 to 168.130, even if the teacher's**  
57 **compensation is reduced.**

58           **10. Notwithstanding any provision of chapter 169 or any other provision of law, a**  
59 **teacher receiving retirement benefits under chapter 169 may, without losing his or her**  
60 **retirement benefits, teach on a full-time or part-time basis in a school of innovation if the**  
61 **teacher is certificated and has teaching experience in a subject that is essential to the**  
62 **mission of the school of innovation and the district can demonstrate that it has been**  
63 **unsuccessful in employing a teacher with the same certification and relevant experience in**  
64 **the subject area. A retired teacher who is employed to work at a school of innovation**  
65 **under this subsection shall not be eligible to earn tenure.**

66           **11. A school district that establishes a school of innovation may allow students who**  
67 **are not residents of the district to attend the school of innovation upon payment of tuition**  
68 **by the student, parents, or the student's resident school district or charter school. The**  
69 **school district that establishes the school of innovation shall not be responsible for the**  
70 **transportation of nonresident students. A school district may enter into an agreement with**  
71 **the district that has established the school of innovation to share staff, facilities, or other**  
72 **resources in lieu of or in addition to tuition.**

73           **12. (1) The board of a school district that has established or that seeks to establish**  
74 **a school of innovation may apply to the state board of education for a waiver of a state**  
75 **statute or regulation that impedes the establishment of a school of innovation or that is**  
76 **otherwise a barrier to the innovative educational mission.**

77           **(2) The state board of education shall hold a public hearing to determine if a waiver**  
78 **should be granted. The state board of education may, by a majority vote of the entire state**  
79 **board, waive a state statute or regulation for the limited purpose of operating the school**  
80 **of innovation. Such waiver shall last three years and may be extended by the state board**  
81 **of education for three-year terms upon evidence that the waiver has resulted in the desired**  
82 **educational innovation and opportunity.**

83           **13. The department of elementary and secondary education shall review all existing**  
84 **laws, regulations, and processes and take action to remove any identified barriers to school**  
85 **districts using innovative education models. The department of elementary and secondary**

86 education shall report to the governor before December 1, 2018, any state or federal  
87 statutes or regulations that could impede the establishment of schools of innovation.

88 14. Subject to appropriation, the governor, or a task force appointed by the  
89 governor, shall annually award ten competitive grants to school districts for the  
90 establishment, implementation, or expansion of schools of innovation.

160.432. A school district may enter into an agreement with one or more other  
2 school districts to provide students access to courses or schools, including schools of  
3 innovation. School districts may enter into agreements to share staff, facilities, or other  
4 resources in lieu of or in addition to tuition paid by a district for its students to access the  
5 courses or schools, including schools of innovation. The school district sponsoring the  
6 course or school, including the school of innovation, shall retain financial and legal  
7 responsibility unless determined otherwise in the agreement.

160.435. 1. A school district may enter into an agreement with one or more other  
2 school districts to cooperatively provide schools to educate resident students of all  
3 participating districts. Such schools shall be known as "cooperative schools". Cooperative  
4 school services may be provided in the facilities of any of the cooperating districts or in  
5 facilities leased by the cooperating districts or through a third-party vendor. The  
6 agreement shall describe the nature of the services to be provided. Services may include  
7 full-day instruction, individual courses, a specialized program of studies, or the  
8 establishment of a shared school of innovation.

9 2. Districts participating in a cooperative school shall equally share financial and  
10 legal responsibility for the school, courses, and employees assigned to such schools and  
11 courses, unless otherwise determined in the agreement. Participating districts shall  
12 contribute funds, facilities, staff, or other resources to operate the cooperative school as  
13 determined in the agreement.

14 3. A cooperative school shall be governed by a committee, with one appointed  
15 representative from each participating school district. The committee shall have the legal  
16 authority to create and oversee a budget, enter into contracts, employ staff, and pay bills  
17 associated with the cooperative school. The financial resources devoted to the cooperative  
18 school by the participating districts shall be kept in a separate account, shall be solely  
19 devoted to the cooperative school, and shall carry over from year to year to the benefit of  
20 the cooperative school.

21 4. If an agreement under this section expires and no new agreement is reached, a  
22 cooperative school may be dissolved by a unanimous vote of the representatives on the  
23 committee governing the cooperative school or by a vote of the boards of education of all

24 the participating school districts. If dissolved, all resources, debt, or legal liability incurred  
25 shall be divided in accordance with the agreement.

26 5. Eligible students from participating districts shall have an equal opportunity to  
27 attend the cooperative school, as determined by the agreement. Any student enrolled in  
28 a participating district shall be reported by the sending participating district for state aid  
29 purposes. The cooperative school shall share information and student records with the  
30 school districts in which students are enrolled.

31 6. The committee governing the cooperative school shall employ teachers and other  
32 staff necessary to operate the cooperative school. The teaching or administrative contracts  
33 shall be with the committee governing the cooperative school rather than with the  
34 participating school districts. Teachers teaching at a cooperative school may earn tenure  
35 in the cooperative school in accordance with sections 168.102 to 168.130 but shall not earn  
36 tenure with any participating district based on employment in the cooperative school.

37 7. Teachers who were employed by a participating school district immediately  
38 before their employment with the cooperative school shall not lose years toward tenure in  
39 the participating district or lose tenure previously earned in the participating school  
40 district. However, the teacher shall not continue to earn years toward tenure in the  
41 participating district during his or her employment with the cooperative school.

42 8. If the committee governing the cooperative school determines that the school  
43 needs to reduce or rearrange staff due to a decrease in student enrollment, reorganization  
44 of the program, or financial conditions, teaching staff shall be placed on leaves of absence  
45 from the cooperative school in accordance with section 168.124. If a teacher is placed on  
46 leave of absence from the cooperative school but has previously earned tenure in a  
47 participating district immediately before his or her employment in the cooperative school,  
48 the participating district may reemploy the tenured teacher, and the teacher shall be  
49 considered tenured upon reemployment. If a teacher is placed on leave of absence from  
50 the cooperative school but was a probationary teacher in a participating district  
51 immediately before his or her employment with the cooperative school, and the  
52 participating district reemploys the teacher, the teacher shall not have lost years toward  
53 tenure previously earned with the participating district.

160.545. 1. There is hereby established [~~within the department of elementary and~~  
2 ~~secondary education~~] the “A+ Schools Program” to be administered by the commissioner of  
3 education. The program shall consist of grant awards made to public secondary schools that  
4 demonstrate a commitment to ensure that:

5 (1) All students be graduated from school;

6 (2) All students complete a selection of high school studies that is challenging and for  
7 which there are identified learning expectations; and

8 (3) All students proceed from high school graduation to a college or postsecondary  
9 vocational or technical school or high-wage job with work place skill development opportunities.

10 2. The state board of education shall promulgate rules and regulations for the approval  
11 of grants made under the program to schools that:

12 (1) Establish measurable districtwide performance standards for the goals of the program  
13 outlined in subsection 1 of this section; and

14 (2) Specify the knowledge, skills and competencies, in measurable terms, that students  
15 must demonstrate to successfully complete any individual course offered by the school, and any  
16 course of studies which will qualify a student for graduation from the school; and

17 (3) ~~Do not offer a general track of courses that, upon completion, can lead to a high  
18 school diploma; and~~

19 ~~————(4)]~~ Require rigorous coursework with standards of competency in basic academic  
20 subjects for students pursuing vocational and technical education as prescribed by rule and  
21 regulation of the state board of education; and

22 ~~[(5)]~~ (4) Have a partnership plan developed in cooperation and with the advice of local  
23 business persons, labor leaders, parents, and representatives of college and postsecondary  
24 vocational and technical school representatives, with the plan then approved by the local board  
25 of education. The plan shall specify a mechanism to receive information on an annual basis from  
26 those who developed the plan in addition to senior citizens, community leaders, and teachers to  
27 update the plan in order to best meet the goals of the program as provided in subsection 1 of this  
28 section. Further, the plan shall detail the procedures used in the school to identify students that  
29 may drop out of school and the intervention services to be used to meet the needs of such  
30 students. The plan shall outline counseling and mentoring services provided to students who will  
31 enter the work force upon graduation from high school, address apprenticeship and intern  
32 programs, and shall contain procedures for the recruitment of volunteers from the community  
33 of the school to serve in schools receiving program grants.

34 3. Any nonpublic school in this state may apply to the state board of education for  
35 certification that it meets the requirements of this section subject to the same criteria as public  
36 high schools. Every nonpublic school that applies and has met the requirements of this section  
37 shall have its students eligible for reimbursement of postsecondary education under subsection  
38 8 of this section on an equal basis to students who graduate from public schools that meet the  
39 requirements of this section. Any nonpublic school that applies shall not be eligible for any  
40 grants under this section. Students of certified nonpublic schools shall be eligible for  
41 reimbursement of postsecondary education under subsection 8 of this section so long as they

42 meet the other requirements of such subsection. For purposes of subdivision ~~[(5)] (4)~~ of  
43 subsection 2 of this section, the nonpublic school shall be included in the partnership plan  
44 developed by the public school district in which the nonpublic school is located. For purposes  
45 of subdivision (1) of subsection 2 of this section, the nonpublic school shall establish measurable  
46 performance standards for the goals of the program for every school and grade level over which  
47 the nonpublic school maintains control.

48 4. A school district may participate in the program irrespective of its accreditation  
49 classification by the state board of education, provided it meets all other requirements.

50 5. By rule and regulation, the state board of education may determine a local school  
51 district variable fund match requirement in order for a school or schools in the district to receive  
52 a grant under the program. However, no school in any district shall receive a grant under the  
53 program unless the district designates a salaried employee to serve as the program coordinator,  
54 with the district assuming a minimum of one-half the cost of the salary and other benefits  
55 provided to the coordinator. Further, no school in any district shall receive a grant under the  
56 program unless the district makes available facilities and services for adult literacy training as  
57 specified by rule of the state board of education.

58 6. For any school that meets the requirements for the approval of the grants authorized  
59 by this section and specified in subsection 2 of this section for three successive school years, by  
60 August first following the third such school year, the commissioner of education shall present  
61 a plan to the superintendent of the school district in which such school is located for the waiver  
62 of rules and regulations to promote flexibility in the operations of the school and to enhance and  
63 encourage efficiency in the delivery of instructional services in the school. The provisions of  
64 other law to the contrary notwithstanding, the plan presented to the superintendent shall provide  
65 a summary waiver, with no conditions, for the pupil testing requirements pursuant to section  
66 160.257 in the school. Further, the provisions of other law to the contrary notwithstanding, the  
67 plan shall detail a means for the waiver of requirements otherwise imposed on the school related  
68 to the authority of the state board of education to classify school districts pursuant to subdivision  
69 (9) of section 161.092 and such other rules and regulations as determined by the commissioner  
70 of education, except such waivers shall be confined to the school and not other schools in the  
71 school district unless such other schools meet the requirements of this subsection. However, any  
72 waiver provided to any school as outlined in this subsection shall be void on June thirtieth of any  
73 school year in which the school fails to meet the requirements for the approval of the grants  
74 authorized by this section as specified in subsection 2 of this section.

75 7. For any school year, grants authorized by subsections 1, 2, and 5 of this section shall  
76 be funded with the amount appropriated for this program, less those funds necessary to reimburse  
77 eligible students pursuant to subsection 8 of this section.

78           8. The department of higher education shall, by rule, establish a procedure for the  
79 reimbursement of the cost of tuition, books and fees to any public community college or  
80 vocational or technical school or within the limits established in subsection ~~[10]~~ **11** of this  
81 section for any two-year private vocational or technical school for any student:

82           (1) Who has attended a high school in the state for at least ~~[three]~~ **two** years  
83 ~~[immediately prior to graduation]~~ that meets the requirements of subsection 2 of this section;  
84 except that, students who are active duty military dependents, and students who are ~~[dependants]~~  
85 **dependents** of retired military who relocate to Missouri within one year of the date of the  
86 parent's retirement from active duty, who ~~[-in the school year immediately preceding graduation,]~~  
87 meet all other requirements of this subsection and are attending a school that meets the  
88 requirements of subsection 2 of this section shall be exempt from the ~~[three-year]~~ **two-year**  
89 attendance requirement of this subdivision; and

90           (2) Who has made a good faith effort to first secure all available federal sources of  
91 funding that could be applied to the reimbursement described in this subsection; and

92           (3) Who has earned a minimal grade average while in high school **or through the**  
93 **semester immediately before taking the course for which he or she seeks reimbursement**  
94 as determined by rule of the department of higher education, and other requirements for the  
95 reimbursement authorized by this subsection as determined by rule and regulation of the  
96 department; and

97           (4) Who is a citizen or permanent resident of the United States.

98           **9. A student who meets the requirements established in subsection 8 of this section**  
99 **immediately before taking the course for which he or she seeks reimbursement shall receive**  
100 **reimbursement of the cost of tuition, books, and fees for any dual credit or dual enrollment**  
101 **course offered in a high school in association with a public community college or vocational**  
102 **or technical school, subject to the requirements of subsection 11 of this section. Eligible**  
103 **students who qualify for reimbursement under this subsection shall also receive**  
104 **reimbursement for the costs associated with an advanced placement course or test.**

105           **10.** The commissioner of education shall develop a procedure for evaluating the  
106 effectiveness of the program described in this section. Such evaluation shall be conducted  
107 annually with the results of the evaluation provided to the governor, speaker of the house, and  
108 president pro tempore of the senate.

109           ~~[10-]~~ **11.** For a two-year private vocational or technical school to obtain reimbursements  
110 under subsection 8 of this section, the following requirements shall be satisfied:

111           (1) Such two-year private vocational or technical school shall be a member of the North  
112 Central Association and be accredited by the Higher Learning Commission as of July 1, 2008,  
113 and maintain such accreditation;



114 (2) Such two-year private vocational or technical school shall be designated as a  
115 501(c)(3) nonprofit organization under the Internal Revenue Code of 1986, as amended;

116 (3) No two-year private vocational or technical school shall receive tuition  
117 reimbursements in excess of the tuition rate charged by a public community college for course  
118 work offered by the private vocational or technical school within the service area of such college;  
119 and

120 (4) The reimbursements provided to any two-year private vocational or technical school  
121 shall not violate the provisions of Article IX, Section 8, or Article I, Section 7, of the Missouri  
122 Constitution or the first amendment of the United States Constitution.

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

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

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

27 forty-seven **and one-half** percent of hours of attendance possible for such course delivered in  
28 the nonvirtual program in a student's school district of residence or charter school.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**162.1251. 1. Any individual, organization, company, or charter school that offers  
2 a virtual course in Missouri, other than a school district, may request certification of the  
3 course by the department of elementary and secondary education. The department shall  
4 certify only courses that meet the following requirements as well as other factors  
5 determined relevant by the department to verify quality:**

6           **(1) The course is aligned with the state learning standards;**

7           **(2) The course is taught by a teacher who is certificated to teach in the state of  
8 Missouri;**

9           **(3) The course and its delivery method meet federal accessibility requirements to  
10 accommodate those who are disabled;**

11           **(4) The course complies with state and federal privacy requirements for student  
12 records;**

13           **(5) The course meets the same requirements imposed on virtual courses under  
14 section 162.1250;**

15           **(6) The course provider does not discriminate on the basis of race, color, religion,  
16 sex, national origin, ancestry, disability, English language learner status, or income level;  
17 and**

18           **(7) If the department requires that school districts administer a statewide  
19 assessment or end-of-course assessment in relation to the course, the course provider pays  
20 for and administers the assessment to students enrolled in the course.**

21           **2. The department of elementary and secondary education may charge a fee to all  
22 virtual course providers to pay for the costs of certification and recertification of virtual  
23 courses. The department may at any time request information and materials or interview  
24 staff or students to evaluate or reevaluate the virtual course or to verify continuing  
25 compliance with the requirements established by the department. The department shall  
26 investigate any complaint made against a virtual course provider. The department may  
27 revoke certification of a course or refuse to recertify a course if the course does not meet  
28 the requirements of this section or other relevant laws, the course provider does not comply  
29 with requests for information, or the department has articulable concerns regarding the  
30 quality of the course or the instruction provided in the course.**

31           **3. Each virtual course provider offering a course certified under this section shall**  
32 **annually report to the department of elementary and secondary education and post on the**  
33 **provider’s website a report card detailing the number of students who have enrolled in the**  
34 **course and the number of students who have completed the course with a passing grade.**  
35 **If there is a statewide assessment or end-of-course assessment related to the course, the**  
36 **report card shall include the aggregate assessment scores of the students who took the**  
37 **assessment.**

38           **4. A virtual course provider offering a course certified under this section shall**  
39 **immediately transfer records upon the request of the parent, the student, or the school**  
40 **district or charter school that has paid for part or all of the virtual course for which the**  
41 **records are requested, regardless of whether additional tuition or fees are owed for the**  
42 **course. School districts and charter schools are required to accept transferred credit from**  
43 **any virtual course certified by the department of elementary and secondary education**  
44 **upon receipt of adequate records verifying completion of the course by the student.**

45           **5. The department of elementary and secondary education may promulgate rules**  
46 **to implement the provisions of this section. Any rule or portion of a rule, as that term is**  
47 **defined in section 536.010, that is created under the authority delegated in this section shall**  
48 **become effective only if it complies with and is subject to all of the provisions of chapter**  
49 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and**  
50 **if any of the powers vested with the general assembly pursuant to chapter 536 to review,**  
51 **to delay the effective date, or to disapprove and annul a rule are subsequently held**  
52 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**  
53 **after August 28, 2018, shall be invalid and void.**

**162.1252. 1. (1) If a school district or charter school does not offer a particular**  
2 **course a student wishes to take or a course substantially similar to the course a student**  
3 **wishes to take in the school the student attends and the school the student attends gives**  
4 **instruction in a grade or grades not lower than the sixth nor higher than the twelfth grade,**  
5 **the student or his or her parent may submit a written request to the superintendent or his**  
6 **or her designee or the principal of the charter school for the district or charter school to**  
7 **provide the course to the student virtually or otherwise. The written request shall explain**  
8 **why the district or charter school should provide the course to the student. The**  
9 **superintendent or his or her designee or the principal of the charter school shall notify the**  
10 **student or parent of his or her decision with respect to the request within forty-five days**  
11 **of receipt.**

12           **(2) If the superintendent or his or her designee or the principal of the charter**  
13 **school declines to offer the course virtually or otherwise, the parent or student may submit**

14 a written request to the school board or the governing board of the charter school to  
15 provide the course to the student. The school board or the governing board of the charter  
16 school shall act on the request within forty-five days of receipt. If the request is denied or  
17 not acted upon, and there is a certified virtual course offered in accordance with section  
18 162.1251, the district or charter school shall pay the tuition for the student to take the  
19 course if the student meets the requirements of subsection 2 of this section; except that, the  
20 district or charter school is required to pay for only one virtual course each semester for  
21 a student.

22 2. To qualify for payment of a virtual course by the district or charter school, the  
23 student shall be currently enrolled in the school district or charter school and shall have  
24 been enrolled in and regularly attending the school district or charter school for at least  
25 one school year. If the student is receiving special educational services, as defined in  
26 section 162.675, the student's individualized education program team shall approve the  
27 course as appropriate for the student. The district or charter school is not required to pay  
28 the tuition for a student to take a virtual course if the student has dropped out of or failed  
29 to complete a virtual course within the past three years.

30 3. No school district or charter school shall pay, for any one course for a student,  
31 more than fourteen percent of the state adequacy target, as defined in section 163.011. The  
32 virtual course provider shall bill the school district or charter school on a monthly basis.  
33 If a student discontinues enrollment in the district or charter school, drops out of the  
34 course, or fails to adequately participate in the course, the district or charter school may  
35 stop making monthly payments to the virtual course provider.

36 4. If a school district or charter school pays for a virtual course as required in this  
37 section, the district or charter school may collect state aid for the course. For purposes of  
38 calculation and distribution of state school funding, attendance of a student enrolled in a  
39 virtual course shall equal, upon course completion, ninety-five percent of the hours of  
40 attendance possible for a similar course delivered in the nonvirtual program in the  
41 student's resident district or charter school. Course completion shall be calculated in two  
42 increments, fifty percent completion and one hundred percent completion, based on the  
43 student's completion of defined assignments and assessments, with distribution of state  
44 funding to a school district or charter school at each increment equal to forty-seven and  
45 one-half percent of hours of attendance possible for such course delivered in the nonvirtual  
46 program in the student's school district of residence or charter school.

47 5. The virtual course provider shall provide the school district or charter school all  
48 student records and progress reports regarding the performance and attendance of the  
49 district or charter school students taking the course.

50           **6. Nothing in this section shall require any school district, any charter school, or**  
 51 **the state to provide computers, equipment, or internet access to any student.**

52           **7. For purposes of this section, "charter school" shall mean a charter school that**  
 53 **has declared itself a local educational agency.**

167.231. 1. Within all school districts except metropolitan districts the board of  
 2 education shall provide transportation to and from school for all pupils living more than three  
 3 and one-half miles from school and may provide transportation for all pupils. State aid for  
 4 transportation shall be paid as provided in section 163.161 only on the basis of the cost of pupil  
 5 transportation for those pupils living one mile or more from school, including transportation  
 6 provided to and from publicly operated university laboratory schools. The board of education  
 7 may provide transportation for pupils living less than one mile from school at the expense of the  
 8 district and may prescribe reasonable rules and regulations as to eligibility of pupils for  
 9 transportation, and, notwithstanding any other provision of law, no such district shall be subject  
 10 to an administrative penalty when the district demonstrates pursuant to rule established by the  
 11 state board of education that such students are required to cross a state highway or county arterial  
 12 in the absence of sidewalks, traffic signals, or a crossing guard and that no existing bus stop  
 13 location has been changed to permit a district to evade such penalty. If no increase in the tax  
 14 levy of the school district is required to provide transportation for pupils living less than one mile  
 15 from the school, the board may transport said pupils. If an increase in the tax levy of the school  
 16 district is required to provide transportation for pupils living less than one mile from school, the  
 17 board shall submit the question at a public election. If a two-thirds majority of the voters voting  
 18 on the question at the election are in favor of providing the transportation, the board shall arrange  
 19 and provide therefor.

20           2. The proposal and the ballots may be in substantially the following form:

21           Shall the board of education of the \_\_\_\_\_ school district provide transportation at the  
 22 expense of the district for pupils living less than one mile from school and be authorized to levy  
 23 an additional tax of \_\_\_\_\_ cents on the one hundred dollars assessed valuation to provide funds  
 24 to pay for such transportation service?

25            YES            NO

26           (If you are in favor of the proposition (or question), place an X in the box opposite  
 27 "YES". If you are opposed to the proposition (or question), place an X in the box opposite  
 28 "NO".)

29           3. The board of education of any school district may provide transportation to and from  
 30 school for any public school pupil not otherwise eligible for transportation under the provisions  
 31 of state law, and may prescribe reasonable rules and regulations as to eligibility for  
 32 transportation, if the parents or guardian of the pupil agree in writing to pay the actual cost of

33 transporting the pupil. The minimum charge would be the actual cost of transporting the pupil  
34 for ninety school days, which actual cost is to be determined by the average per-pupil cost of  
35 transporting children in the school district during the preceding school year. The full actual cost  
36 shall be paid by the parent or guardian of the pupil and shall not be paid out of any state school  
37 aid funds or out of any other revenues of the school district. The cost of transportation may be  
38 paid in installments, and the board of education shall establish the cost of the transportation and  
39 the time or times and method of payment.

40 **4. A school district or charter school may arrange to have students transported**  
41 **using alternative methods such as existing public transportation or vehicles other than a**  
42 **school bus, as long as the district or charter school pays the cost of the transportation or**  
43 **provides for the transportation without cost to the student.**

168.011. 1. No person shall be employed to teach in any position in a public school until  
2 he **or she** has received a valid certificate of license entitling him **or her** to teach in that position.

3 2. Teaching in the state of Missouri, performing other related education duties, school  
4 administration, and teacher education are hereby declared to be professions with all the  
5 appropriate rights, responsibilities and privileges accorded to other recognized professions.

6 **3. A district may collect state aid for a student attending a course virtually, through**  
7 **videoconferencing or electronically, even if the supervising employee in the classroom is**  
8 **not a certificated employee as long as the person teaching the course has a valid certificate**  
9 **of license entitling him or her to teach in that position or is employed by a postsecondary**  
10 **institution and is teaching a dual credit, dual enrollment, or advanced placement course.**

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

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

4 (a) Upon the basis of college credit;

5 (b) Upon the basis of examination;

6 (2) By the state board, under rules and regulations prescribed by the state board with  
7 advice from the advisory council established by section 168.015 to any individual who presents  
8 to the state board a valid doctoral degree from an accredited institution of higher education  
9 accredited by a regional accrediting association such as North Central Association. Such  
10 certificate shall be limited to the major area of postgraduate study of the holder, shall be issued  
11 only after successful completion of the examination required for graduation pursuant to rules  
12 adopted by the state board of education, and shall be restricted to those certificates established  
13 pursuant to subdivision (1) of subsection 3 of this section;

14 (3) By the state board, which shall issue the professional certificate classification in both  
15 the general and specialized areas most closely aligned with the current areas of certification

16 approved by the state board, commensurate with the years of teaching experience of the  
17 applicant, and based upon the following criteria:

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

20 (b) Successful attainment of the Missouri qualifying score on the exit assessment for  
21 teachers or administrators designated by the state board of education. Applicants who have not  
22 successfully achieved a qualifying score on the designated examinations will be issued a  
23 two-year nonrenewable provisional certificate; and

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

27 (4) By the state board, under rules prescribed by it, on the basis of a relevant bachelor's  
28 degree, or higher degree, and a passing score for the designated exit examination, for individuals  
29 whose academic degree and professional experience are suitable to provide a basis for instruction  
30 solely in the subject matter of banking or financial responsibility, at the discretion of the state  
31 board. Such certificate shall be limited to the major area of study of the holder and shall be  
32 restricted to those certificates established under subdivision (1) of subsection 3 of this section.  
33 Holders of certificates granted under this subdivision shall be exempt from the teacher tenure act  
34 under sections 168.102 to 168.130 and each school district shall have the decision-making  
35 authority on whether to hire the holders of such certificates; ~~or~~

36 (5) By the state board, under rules and regulations prescribed by it, on the basis of  
37 certification by the American Board for Certification of Teacher Excellence (ABCTE) and  
38 verification of ability to work with children as demonstrated by sixty contact hours in any one  
39 of the following areas as validated by the school principal: sixty contact hours in the classroom,  
40 of which at least forty-five must be teaching; sixty contact hours as a substitute teacher, with at  
41 least thirty consecutive hours in the same classroom; sixty contact hours of teaching in a private  
42 school; or sixty contact hours of teaching as a paraprofessional, for an initial four-year ABCTE  
43 certificate of license to teach, except that such certificate shall not be granted for the areas of  
44 early childhood education, or special education. For certification in the area of elementary  
45 education, ninety contact hours in the classroom shall be required, of which at least thirty shall  
46 be in an elementary classroom. Upon the completion of the requirements listed in paragraphs  
47 (a), (b), (c), and (d) of this subdivision, an applicant shall be eligible to apply for a career  
48 continuous professional certificate under subdivision (2) of subsection 3 of this section:

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



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

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

55 (d) [~~Participate~~] **Participation** in a beginning teacher assistance program; or

56 **(6) By the state board, under rules and regulations prescribed by it, on the basis**  
57 **of specialized knowledge and experience in a discrete subject area for which the certificate**  
58 **is issued.**

59 2. All valid teaching certificates issued pursuant to law or state board policies and  
60 regulations prior to September 1, 1988, shall be exempt from the professional development  
61 requirements of this section and shall continue in effect until they expire, are revoked or  
62 suspended, as provided by law. When such certificates are required to be renewed, the state  
63 board or its designee shall grant to each holder of such a certificate the certificate most nearly  
64 equivalent to the one so held. Anyone who holds, as of August 28, 2003, a valid PC-I, PC-II,  
65 or continuous professional certificate shall, upon expiration of his or her current certificate, be  
66 issued the appropriate level of certificate based upon the classification system established  
67 pursuant to subsection 3 of this section.

68 3. Certificates of license to teach in the public schools of the state shall be based upon  
69 minimum requirements prescribed by the state board of education which shall include  
70 completion of a background check as prescribed in section 168.133. The state board shall  
71 provide for the following levels of professional certification: an initial professional certificate  
72 and a career continuous professional certificate.

73 (1) The initial professional certificate shall be issued upon completion of requirements  
74 established by the state board of education and shall be valid based upon verification of actual  
75 teaching within a specified time period established by the state board of education. The state  
76 board shall require holders of the four-year initial professional certificate to:

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

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

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

85 (2) (a) The career continuous professional certificate shall be issued upon verification  
86 of completion of four years of teaching under the initial professional certificate and upon

87 verification of the completion of the requirements articulated in paragraphs (a), (b), and (c) of  
88 subdivision (1) of this subsection or paragraphs (a), (b), (c), and (d) of subdivision (5) of  
89 subsection 1 of this section.

90 (b) The career continuous professional certificate shall be continuous based upon  
91 verification of actual employment in an educational position as provided for in state board  
92 guidelines and completion of fifteen contact hours of professional development per year which  
93 may include hours spent in class in an appropriate college curriculum. Should the possessor of  
94 a valid career continuous professional certificate fail, in any given year, to meet the fifteen-hour  
95 professional development requirement, the possessor may, within two years, make up the  
96 missing hours. In order to make up for missing hours, the possessor shall first complete the  
97 fifteen-hour requirement for the current year and then may count hours in excess of the current  
98 year requirement as make-up hours. Should the possessor fail to make up the missing hours  
99 within two years, the certificate shall become inactive. In order to reactivate the certificate, the  
100 possessor shall complete twenty-four contact hours of professional development which may  
101 include hours spent in the classroom in an appropriate college curriculum within the six months  
102 prior to or after reactivating his or her certificate. The requirements of this paragraph shall be  
103 monitored and verified by the local school district which employs the holder of the career  
104 continuous professional certificate.

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

109 a. Has ten years of teaching experience as defined by the state board of education;

110 b. Possesses a master's degree; or

111 c. Obtains a rigorous national certification as approved by the state board of education.

112 4. Policies and procedures shall be established by which a teacher who was not retained  
113 due to a reduction in force may retain the current level of certification. There shall also be  
114 established policies and procedures allowing a teacher who has not been employed in an  
115 educational position for three years or more to reactivate his or her last level of certification by  
116 completing twenty-four contact hours of professional development which may include hours  
117 spent in the classroom in an appropriate college curriculum within the six months prior to or after  
118 reactivating his or her certificate.

119 5. The state board shall, upon completion of a background check as prescribed in section  
120 168.133, issue a professional certificate classification in the areas most closely aligned with an  
121 applicant's current areas of certification, commensurate with the years of teaching experience of  
122 the applicant, to any person who is hired to teach in a public school in this state and who

123 possesses a valid teaching certificate from another state or certification under subdivision (4) of  
124 subsection 1 of this section, provided that the certificate holder shall annually complete the state  
125 board's requirements for such level of certification, and shall establish policies by which  
126 residents of states other than the state of Missouri may be assessed a fee for a certificate of  
127 license to teach in the public schools of Missouri. Such fee shall be in an amount sufficient to  
128 recover any or all costs associated with the issuing of a certificate of license to teach. The board  
129 shall promulgate rules to authorize the issuance of a provisional certificate of license, which shall  
130 allow the holder to assume classroom duties pending the completion of a criminal background  
131 check under section 168.133, for any applicant who:

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

137 6. The state board may assess to holders of an initial professional certificate a fee, to be  
138 deposited into the excellence in education revolving fund established pursuant to section  
139 160.268, for the issuance of the career continuous professional certificate. However, such fee  
140 shall not exceed the combined costs of issuance and any criminal background check required as  
141 a condition of issuance. Applicants for the initial ABCTE certificate shall be responsible for any  
142 fees associated with the program leading to the issuance of the certificate, but nothing in this  
143 section shall prohibit a district from developing a policy that permits fee reimbursement.

144 7. Any member of the public school retirement system of Missouri who entered covered  
145 employment with ten or more years of educational experience in another state or states and held  
146 a certificate issued by another state and subsequently worked in a school district covered by the  
147 public school retirement system of Missouri for ten or more years who later became certificated  
148 in Missouri shall have that certificate dated back to his or her original date of employment in a  
149 Missouri public school.

**170.039. 1. (1) School districts and charter schools sponsored by local boards of  
2 education may award an enrolled student credit for a high school course if the student is  
3 able to demonstrate proficiency in the knowledge, skills, and competencies in the subject  
4 area to the satisfaction of the district or charter school sponsored by a local board of  
5 education, regardless of whether the student has enrolled in the course with the district or  
6 charter school sponsored by a local board of education or completed the course.**

**7 (2) Districts and charter schools sponsored by local boards of education that offer  
8 proficiency-based credit as described in this section shall notify parents and students in the  
9 student handbook or, if a district or charter school sponsored by a local board of education**

10 does not provide a student handbook, through other means determined by the district or  
11 charter school sponsored by a local board of education.

12 (3) A student who chooses to demonstrate competency to earn credit as described  
13 in this section shall take any statewide assessments associated with any course for which  
14 the student earns proficiency-based credit.

15 2. A student who earns proficiency-based credits shall not be required to graduate  
16 earlier than his or her age-related cohorts even if the student earns more credits than  
17 necessary to graduate. However, if a student graduates from high school earlier than his  
18 or her age-related cohorts due to proficiency-based credits earned by the student, the  
19 district may continue to collect state aid for the student until the student's age-related  
20 cohorts graduate. The state aid earned in this manner shall be used to provide services to  
21 students who are at risk of not graduating on time or at all or to increase the number of  
22 students attending a career center from the number of students who attended in the 2017-  
23 18 school year.

24 3. If a student graduates early due to proficiency-based credits earned by the  
25 student, the district's collection of state aid for the student as described in subsection 2 of  
26 this section shall be determined by counting each course for which the student earned  
27 proficiency-based credit as equaling ninety-five percent of the hours of attendance possible  
28 for such course even though the student never actually attended the course. The district  
29 shall count only those courses necessary for the district to claim full-time status for the  
30 student until the student's age-related cohorts graduate.

✓