

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE SUBSTITUTE FOR

HOUSE BILL NO. 2287

102ND GENERAL ASSEMBLY

3622S.05T

2024

AN ACT

To repeal sections 135.713, 161.670, 168.021, and 571.010, RSMo, and to enact in lieu thereof seven 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Section A. Sections 135.713, 161.670, 168.021, and 571.010, RSMo, are repealed
2 and seven new sections enacted in lieu thereof, to be known as sections 135.713, 161.670,
3 167.012, 167.013, 168.021, 571.010, and 1, to read as follows:

135.713. 1. Any taxpayer who makes a qualifying contribution to an educational
2 assistance organization after August 28, 2021, may claim a credit against the tax otherwise
3 due under chapter 143, other than taxes withheld under sections 143.191 to 143.265, and
4 chapter 153 in an amount equal to one hundred percent of the amount the taxpayer
5 contributed during the tax year for which the credit is claimed. No taxpayer shall claim a
6 credit ~~[under]~~ **pursuant to** sections 135.712 to 135.719 for any contribution made by the
7 taxpayer, or an agent of the taxpayer, on behalf of the taxpayer's dependent or, in the case of a
8 business taxpayer, on behalf of the business's agent's dependent.

9 2. The amount of the tax credit claimed shall not exceed fifty percent of the taxpayer's
10 state tax liability for the tax year for which the credit is claimed. The state treasurer shall
11 certify the tax credit amount to the taxpayer. A taxpayer may carry the credit forward to any
12 of ~~[such taxpayer's]~~ **his or her** four subsequent tax years. All tax credits authorized ~~[under]~~
13 **pursuant to** the program shall not be transferred, sold, or assigned, and are not refundable.

14 3. The cumulative amount of tax credits that may be allocated to all taxpayers
15 contributing to educational assistance organizations in any one calendar year shall not exceed
16 fifty million dollars, which amount shall be annually adjusted by the state treasurer for

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.

17 inflation based on the Consumer Price Index for All Urban Consumers for the Midwest
18 region, as defined and officially recorded by the United States Department of Labor or its
19 successor, such annual increase will cease when the amount of tax credits reach seventy-five
20 million dollars. The state treasurer shall establish a procedure by which, from the beginning
21 of the calendar year until August first, the cumulative amount of tax credits shall be allocated
22 on a first-come, first-served basis among all educational assistance organizations. If an
23 educational assistance organization fails to use all, or some percentage to be determined by
24 the state treasurer, of its allocated tax credits during this period, the state treasurer may
25 reallocate these unused tax credits to those educational assistance organizations that have
26 used all, or some percentage to be determined by the state treasurer, of their allocated tax
27 credits during this period. The state treasurer may establish more than one period and
28 reallocate more than once during each calendar year. The state treasurer shall establish the
29 procedure described in this subsection in such a manner as to ensure that taxpayers can claim
30 all the tax credits possible up to the cumulative amount of tax credits available for the
31 calendar year.

32 4. A taxpayer who makes a contribution to an education assistance organization shall
33 not designate the student who will receive a scholarship grant.

34 5. The provisions of sections 135.712 to 135.719 and sections 166.700 to 166.720
35 shall be effective in any fiscal year immediately ~~[subsequent to]~~ **after** any fiscal year in which
36 the amount appropriated for pupil transportation ~~[under]~~ **pursuant to** section 163.161 equals
37 or exceeds forty percent of the projected amount necessary to fully fund transportation aid
38 funding for fiscal year 2021. If the amount appropriated for transportation ~~[under]~~ **pursuant**
39 **to** section 163.161 in any succeeding year falls below such amount, no additional
40 scholarships for newly qualified students shall be awarded.

161.670. 1. Notwithstanding any other law, prior to July 1, 2007, the state board of
2 education shall establish the "Missouri Course Access and Virtual School Program" to serve
3 school-age students residing in the state. The Missouri course access and virtual school
4 program shall offer nonclassroom-based instruction in a virtual setting using technology,
5 intranet, or internet methods of communication. Any student under the age of twenty-one in
6 grades kindergarten through twelve who resides in this state shall be eligible to enroll in the
7 Missouri course access and virtual school program pursuant to subsection 3 of this section.

8 2. (1) For purposes of calculation and distribution of state school aid, students
9 enrolled in the Missouri course access and virtual school program shall be included in the
10 student enrollment of the school district in which the student is enrolled under **the relevant**
11 **provisions of** subsection 3 of this section~~[-; provided that any such]~~ **for such enrollment.**
12 Student attendance for full-time virtual program students shall only be included in any district
13 pupil attendance calculation under chapter 163 ~~[and any charter school pupil attendance]~~

14 ~~calculation under section 160.415,]~~ using current-year pupil attendance for such full-time
15 virtual program pupils~~]; and further provided that].~~ **For the purpose of calculating average**
16 **daily attendance in full time virtual programs under this section, average daily**
17 **attendance shall be defined as the quotient or the sum of the quotients obtained by**
18 **dividing the total number of hours attended in a term by enrolled pupils between the**
19 **ages of five and twenty-one by the actual number of hours that the program was in**
20 **session in that term, and the provisions of section 162.1250 shall not apply to such**
21 **funding calculation. Such calculation shall be generated by the virtual provider and**
22 **provided to the host district for submission to the department of elementary and**
23 **secondary education. Such students may complete their instructional activities, as**
24 **defined in subsection 4 of this section, during any hour of the day and during any day of**
25 **the week. The hours attended for each enrolled pupil shall be documented by the pupil's**
26 **weekly progress in the educational program according to a process determined by the**
27 **virtual program and published annually in the virtual program's enrollment handbook**
28 **or policy. To the average daily attendance of the following school term shall be added**
29 **the full-time equivalent average daily attendance of summer school students.** In the case
30 of a host school district enrolling one or more full-time virtual school students, such enrolling
31 district shall, **as part of its monthly state allocation,** receive no less under the state aid
32 calculation for such students than an amount equal to the state adequacy target multiplied by
33 the weighted average daily attendance of such full-time students. Students residing in
34 Missouri and enrolled in a full-time virtual school program operated by a public institution of
35 higher education in this state shall be counted for a state aid calculation by the department,
36 and the department shall pay, from funds dedicated to state school aid payments made under
37 section 163.031, to such institution an amount equal to the state adequacy target multiplied by
38 the weighted average daily attendance of such full-time students.

39 (2) The Missouri course access and virtual school program shall report to the district
40 of residence the following information about each student served by the Missouri course
41 access and virtual school program: name, address, eligibility for free or reduced-price lunch,
42 limited English proficiency status, special education needs, and the number of courses in
43 which the student is enrolled. The Missouri course access and virtual school program shall
44 promptly notify the resident district when a student discontinues enrollment. A "full-time
45 equivalent student" is a student who is enrolled in the instructional equivalent of six credits
46 per regular term. Each Missouri course access and virtual school program course shall count
47 as one class and shall generate that portion of a full-time equivalent that a comparable course
48 offered by the school district would generate.

49 (3) Pursuant to an education services plan and collaborative agreement under
50 subsection 3 of this section, full-time equivalent students may be allowed to use a physical

51 location of the resident school district for all or some portion of ongoing instructional activity,
52 and the enrollment plan shall provide for reimbursement of costs of the resident district for
53 providing such access pursuant to rules promulgated under this section by the department.

54 (4) In no case shall more than the full-time equivalency of a regular term of
55 attendance for a single student be used to claim state aid. Full-time equivalent student credit
56 completed shall be reported to the department of elementary and secondary education in the
57 manner prescribed by the department. Nothing in this section shall prohibit students from
58 enrolling in additional courses under a separate agreement that includes terms for paying
59 tuition or course fees.

60 (5) A full-time virtual school program serving full-time equivalent students shall be
61 considered an attendance center in the host school district and shall participate in the
62 statewide assessment system as defined in section 160.518. The academic performance of
63 students enrolled in a full-time virtual school program shall be assigned to the designated
64 attendance center of the full-time virtual school program and shall be considered in like
65 manner to other attendance centers. The academic performance of any student who disenrolls
66 from a full-time virtual school program and enrolls in a public school or charter school shall
67 not be used in determining the annual performance report score of the attendance center or
68 school district in which the student enrolls for twelve months from the date of enrollment.

69 (6) For the purposes of this section, a public institution of higher education operating
70 a full-time virtual school program shall be subject to all requirements applicable to a host
71 school district with respect to its full-time equivalent students.

72 3. (1) A student who resides in this state may enroll in Missouri course access and
73 virtual school program courses of his or her choice as a part of the student's annual course
74 load each school year, with any costs associated with such course or courses to be paid by the
75 school district or charter school if:

76 (a) The student is enrolled full-time in a public school, including any charter school;
77 and

78 (b) Prior to enrolling in any Missouri course access and virtual school program
79 course, a student has received approval from his or her school district or charter school
80 through the procedure described under subdivision (2) of this subsection.

81 (2) Each school district or charter school shall adopt a policy that delineates the
82 process by which a student may enroll in courses provided by the Missouri course access and
83 virtual school program that is substantially similar to the typical process by which a district
84 student would enroll in courses offered by the school district and a charter school student
85 would enroll in courses offered by the charter school. The policy may include consultation
86 with the school's counselor and may include parental notification or authorization. The policy
87 shall ensure that available opportunities for in-person instruction are considered prior to

88 moving a student to virtual courses. The policy shall allow for continuous enrollment
89 throughout the school year. If the school district or charter school disapproves a student's
90 request to enroll in a course or courses provided by the Missouri course access and virtual
91 school program, the reason shall be provided in writing and it shall be for good cause. Good
92 cause justification to disapprove a student's request for enrollment in a course shall be a
93 determination that doing so is not in the best educational interest of the student, and shall be
94 consistent with the determination that would be made for such course request under the
95 process by which a district student would enroll in a similar course offered by the school
96 district and a charter school student would enroll in a similar course offered by the charter
97 school, except that the determination may consider the suitability of virtual courses for the
98 student based on prior participation in virtual courses by the student. Appeals of any course
99 denials under this subsection shall be considered under a policy that is substantially similar to
100 the typical process by which appeals would be considered for a student seeking to enroll in
101 courses offered by the school district and a charter school student seeking to enroll in courses
102 offered by the charter school.

103 (3) For students enrolled in any Missouri course access and virtual school program
104 course in which costs associated with such course are to be paid by the school district or
105 charter school as described under this subdivision, the school district or charter school shall
106 pay the content provider directly on a pro rata monthly basis based on a student's completion
107 of assignments and assessments. If a student discontinues enrollment, the district or charter
108 school may stop making monthly payments to the content provider. No school district or
109 charter school shall pay, for any one course for a student, more than the market necessary
110 costs but in no case shall pay more than fourteen percent of the state adequacy target, as
111 defined under section 163.011, as calculated at the end of the most recent school year for any
112 single, year-long course and no more than seven percent of the state adequacy target as
113 described above for any single semester equivalent course.

114 (4) ~~[For students enrolling in a full-time virtual program, the department of~~
115 ~~elementary and secondary education shall adopt a policy that delineates the process by which]~~

116 (a) A student who lives in this state may enroll in a virtual program of their choice as
117 provided in this subdivision, **and the provisions of subdivisions 1 to 3 of this subsection**
118 **shall not apply to such enrollment in a full-time virtual program.** Each host school
119 district operating a full-time virtual program under this section shall **adopt**, operate and
120 implement ~~[the state]~~ **an enrollment policy**, ~~[-subject to]~~ **as specified by** the provisions of this
121 subdivision. ~~[The policy shall:~~

122 (a) ~~Require the good faith collaboration of]~~ The student, the student's parent or
123 guardian if the student is not considered homeless, the virtual program, the host district, and
124 the resident district~~;~~ **shall collaborate in good faith to implement the enrollment policy**

125 **regarding the student's enrollment, and the resident school district and the host school**
126 **district may mutually agree that the resident district shall offer or continue to offer**
127 **services for the student under an agreement that includes financial terms for**
128 **reimbursement by the host school district for the necessary costs of the resident**
129 **school district providing such services. An enrollment policy specified under this**
130 **subsection shall:**

131 **a. Require a student's parent or guardian, if the student is not considered**
132 **homeless, to apply for enrollment in a full-time virtual program directly with the virtual**
133 **program;**

134 ~~[(b)]~~ **b.** Specify timelines for timely participation by the virtual program, the host
135 district, and resident district; provided that the resident district shall provide any relevant
136 information and input on the enrollment within ten business days of notice from the virtual
137 program of the enrollment application;

138 ~~[(c)]~~ **c.** Include a survey of the reasons for the student's and parent's interests in
139 participating in the virtual program;

140 ~~[(d)]~~ **d.** Include consideration of available opportunities for in-person instruction
141 prior to enrolling a student in a virtual program;

142 ~~[(e)]~~ **e.** Evaluate requests for enrollment based on meeting the needs for a student to
143 be successful considering all relevant factors;

144 ~~[(f)]~~ **f.** Ensure that, for any enrolling student **with a covered disability**, an
145 **individualized** education ~~[services plan and collaborative agreement is]~~ **program and a**
146 **related services agreement, in cases where such agreement is needed, are** created to
147 provide all services required to ensure a free and appropriate public education, including
148 financial terms for reimbursement by the host district for the necessary costs of any virtual
149 program, school district, or public or private entity providing all or a portion of such services;

150 ~~[(g)]~~ **g.** Require the virtual program to determine whether an enrolling student will be
151 admitted, based on the enrollment policy, in consideration of all relevant factors and provide
152 the basis for its determination and any service plan for the student, in writing, to the student,
153 the student's parent or guardian, the host district, and the resident district; **and**

154 ~~[(h)]~~ **h.** Provide a process for reviewing appeals of decisions made under this
155 subdivision~~[-and]~~.

156 ~~[(i) Require]~~ **(b)** The department ~~[(t)]~~ **shall** publish an annual report based on the
157 enrollments and enrollment surveys conducted under this subdivision that provides data at the
158 statewide and district levels of sufficient detail to allow analysis of trends regarding the
159 reasons for participation in the virtual program at the statewide and district levels; provided
160 that no such survey results will be published in a manner that reveals individual student
161 information. The department shall also include, in the annual report, data at the statewide and

162 district levels of sufficient detail to allow detection and analysis of the racial, ethnic, and
163 socio-economic balance of virtual program participation among schools and districts at the
164 statewide and district levels, provided that no such survey results will be published in a
165 manner that reveals individual student information.

166 (5) In the case of a student who is a candidate for A+ tuition reimbursement and
167 taking a virtual course under this section, the school shall attribute no less than ninety-five
168 percent attendance to any such student who has completed such virtual course.

169 (6) The Missouri course access and virtual school program shall ensure that
170 individual learning plans designed by certified teachers and professional staff are developed
171 for all students enrolled in more than two full-time course access program courses or a full-
172 time virtual school.

173 (7) Virtual school programs shall monitor individual student success and engagement
174 of students enrolled in their program[;] **and, for students enrolled in virtual courses on a**
175 **part-time basis, the virtual school program shall** provide regular student progress reports
176 for each student at least four times per school year to the school district or charter school,
177 provide the host school district and the resident school district ongoing access to academic
178 and other relevant information on student success and engagement, and shall terminate or
179 alter the course offering if it is found the course [~~or full-time virtual school~~] is not meeting the
180 educational needs of the students enrolled in the course.

181 (8) The department of elementary and secondary education shall monitor the
182 aggregate performance of providers and make such information available to the public under
183 subsection 11 of this section.

184 (9) Pursuant to rules to be promulgated by the department of elementary and
185 secondary education, when a student transfers into a school district or charter school, credits
186 previously gained through successful passage of approved courses under the Missouri course
187 access and virtual school program shall be accepted by the school district or charter school.

188 (10) Pursuant to rules to be promulgated by the department of elementary and
189 secondary education, if a student transfers into a school district or charter school while
190 enrolled in a Missouri course access and virtual school program course or full-time virtual
191 school, the student shall continue to be enrolled in such course or school.

192 (11) Nothing in this section shall prohibit home school students, private school
193 students, or students wishing to take additional courses beyond their regular course load from
194 enrolling in Missouri course access and virtual school program courses under an agreement
195 that includes terms for paying tuition or course fees.

196 (12) Nothing in this subsection shall require any school district, charter school, virtual
197 program, or the state to provide computers, equipment, or internet access to any student
198 unless required under the education services plan created for an eligible student under

199 subdivision (4) of this subsection or for an eligible student with a disability to comply with
200 federal law. An education services plan may require an eligible student to have access to
201 school facilities of the resident school district during regular school hours for participation
202 and instructional activities of a virtual program under this section, and the education services
203 plan shall provide for reimbursement of the resident school district for such access pursuant to
204 rules adopted by the department under this section.

205 (13) The authorization process shall provide for continuous monitoring of approved
206 providers and courses. The department shall revoke or suspend or take other corrective action
207 regarding the authorization of any course or provider no longer meeting the requirements of
208 the program. Unless immediate action is necessary, prior to revocation or suspension, the
209 department shall notify the provider and give the provider a reasonable time period to take
210 corrective action to avoid revocation or suspension. The process shall provide for periodic
211 renewal of authorization no less frequently than once every three years.

212 (14) Courses approved as of August 28, 2018, by the department to participate in the
213 Missouri virtual instruction program shall be automatically approved to participate in the
214 Missouri course access and virtual school program, but shall be subject to periodic renewal.

215 (15) Any online course or virtual program offered by a school district or charter
216 school, including those offered prior to August 28, 2018, which meets the requirements of
217 section 162.1250 shall be automatically approved to participate in the Missouri course access
218 and virtual school program. Such course or program shall be subject to periodic renewal. A
219 school district or charter school offering such a course or virtual school program shall be
220 deemed an approved provider.

221 **(16) A host district may contract with a provider to perform any required**
222 **services involved with delivering a full-time virtual education.**

223 4. (1) As used in this subsection, the term "instructional activities" means classroom-
224 based or nonclassroom-based activities that a student shall be expected to complete,
225 participate in, or attend during any given school day, such as:

- 226 (a) Online logins to curricula or programs;
- 227 (b) Offline activities;
- 228 (c) Completed assignments within a particular program, curriculum, or class;
- 229 (d) Testing;
- 230 (e) Face-to-face communications or meetings with school staff;
- 231 (f) Telephone or video conferences with school staff;
- 232 (g) School-sanctioned field trips; or
- 233 (h) Orientation.

234 (2) A full-time virtual school shall submit a notification to the parent or guardian of
235 any student who is not consistently engaged in instructional activities **and shall provide**
236 **regular student progress reports for each student at least four times per school year.**

237 (3) Each full-time virtual school shall develop, adopt, and post on the school's website
238 a policy setting forth the consequences for a student who fails to complete the required
239 instructional activities. Such policy shall state, at a minimum, that if a student fails to
240 complete the instructional activities after receiving a notification under subdivision (2) of this
241 subsection, and after reasonable intervention strategies have been implemented, that the
242 student shall be subject to certain consequences which may include disenrollment from the
243 school. Prior to any disenrollment, the parent or guardian shall have the opportunity to
244 present any information that the parent deems relevant, and such information shall be
245 considered prior to any final decision.

246 (4) If a full-time virtual school disenrolls a student under subdivision (3) of this
247 subsection, the school shall immediately provide written notification to such student's school
248 district of residence. The student's school district of residence shall then provide to the
249 parents or guardian of the student a written list of available educational options and promptly
250 enroll the student in the selected option. Any student disenrolled from a full-time virtual
251 school shall be prohibited from reenrolling in the same virtual school for the remainder of the
252 school year.

253 5. School districts or charter schools shall inform parents of their child's right to
254 participate in the program. Availability of the program shall be made clear in the parent
255 handbook, registration documents, and featured on the home page of the school district or
256 charter school's website.

257 6. The department shall:

258 (1) Establish an authorization process for course or full-time virtual school providers
259 that includes multiple opportunities for submission each year;

260 (2) Pursuant to the time line established by the department, authorize course or full-
261 time virtual school providers that:

262 (a) Submit all necessary information pursuant to the requirements of the process; and

263 (b) Meet the criteria described in subdivision (3) of this subsection;

264 (3) Review, pursuant to the authorization process, proposals from providers to
265 provide a comprehensive, full-time equivalent course of study for students through the
266 Missouri course access and virtual school program. The department shall ensure that these
267 comprehensive courses of study align to state academic standards and that there is
268 consistency and compatibility in the curriculum used by all providers from one grade level to
269 the next grade level;

270 (4) Within thirty days of any denial, provide a written explanation to any course or
271 full-time virtual school providers that are denied authorization;

272 (5) Allow a course or full-time virtual school provider denied authorization to reapply
273 at any point in the future.

274 7. The department shall publish the process established under this section, including
275 any deadlines and any guidelines applicable to the submission and authorization process for
276 course or full-time virtual school providers on its website.

277 8. If the department determines that there are insufficient funds available for
278 evaluating and authorizing course or full-time virtual school providers, the department may
279 charge applicant course or full-time virtual school providers a fee up to, but no greater than,
280 the amount of the costs in order to ensure that evaluation occurs. The department shall
281 establish and publish a fee schedule for purposes of this subsection.

282 9. Except as specified in this section and as may be specified by rule of the state board
283 of education, the Missouri course access and virtual school program shall comply with all
284 state laws and regulations applicable to school districts, including but not limited to the
285 Missouri school improvement program (MSIP), annual performance report (APR), teacher
286 certification, curriculum standards, audit requirements under chapter 165, access to public
287 records under chapter 610, and school accountability report cards under section 160.522.
288 Teachers and administrators employed by a virtual provider shall be considered to be
289 employed in a public school for all certification purposes under chapter 168.

290 10. The department shall submit and publicly publish an annual report on the
291 Missouri course access and virtual school program and the participation of entities to the
292 governor, the chair and ranking member of the senate education committee, and the chair and
293 ranking member of the house of representatives elementary and secondary education
294 committee. The report shall at a minimum include the following information:

295 (1) The annual number of unique students participating in courses authorized under
296 this section and the total number of courses in which students are enrolled in;

297 (2) The number of authorized providers;

298 (3) The number of authorized courses and the number of students enrolled in each
299 course;

300 (4) The number of courses available by subject and grade level;

301 (5) The number of students enrolled in courses broken down by subject and grade
302 level;

303 (6) Student outcome data, including completion rates, student learning gains, student
304 performance on state or nationally accepted assessments, by subject and grade level per
305 provider. This outcome data shall be published in a manner that protects student privacy;

306 (7) The costs per course;

307 (8) Evaluation of in-school course availability compared to course access availability
308 to ensure gaps in course access are being addressed statewide.

309 11. (1) The department shall be responsible for creating the Missouri course access
310 and virtual school program catalog providing a listing of all courses authorized and available
311 to students in the state, detailed information, including costs per course, about the courses to
312 inform student enrollment decisions, and the ability for students to submit their course
313 enrollments.

314 (2) On or before January 1, 2023, the department shall publish on its website, and
315 distribute to all school districts and charter schools in this state, a guidance document that
316 details the options for virtual course access and full-time virtual course access for all students
317 in the state. The guidance document shall include a complete and readily understood
318 description of the applicable enrollment processes including the opportunity for students to
319 enroll and the roles and responsibilities of the student, parent, virtual provider, school district
320 or districts, and charter schools, as appropriate. The guidance document shall be distributed
321 in written and electronic form to all school districts, charter schools, and virtual providers.
322 School districts and charter schools shall provide a copy of the guidance document to every
323 pupil and parent or legal guardian of every pupil enrolled in the district or charter school at
324 the beginning of each school year and upon enrollment for every pupil enrolling at a different
325 time of the school year. School districts and charter schools shall provide a readily viewable
326 link to the electronic version of the guidance document on the main page of the district's or
327 charter school's website.

328 12. The state board of education through the rulemaking process and the department
329 of elementary and secondary education in its policies and procedures shall ensure that
330 multiple content providers and learning management systems are allowed, ensure digital
331 content conforms to accessibility requirements, provide an easily accessible link for providers
332 to submit courses or full-time virtual schools on the Missouri course access and virtual school
333 program website, and allow any person, organization, or entity to submit courses or full-time
334 virtual schools for approval. No content provider shall be allowed that is unwilling to accept
335 payments in the amount and manner as described under subdivision (3) of subsection 3 of this
336 section or does not meet performance or quality standards adopted by the state board of
337 education.

338 13. Any rule or portion of a rule, as that term is defined in section 536.010, that is
339 created under the authority delegated in this section shall become effective only if it complies
340 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
341 This section and chapter 536 are nonseverable and if any of the powers vested with the
342 general assembly pursuant to chapter 536 to review, to delay the effective date, or to
343 disapprove and annul a rule are subsequently held unconstitutional, then the grant of

344 rulemaking authority and any rule proposed or adopted after August 28, 2006, shall be invalid
345 and void.

167.012. 1. For purposes of state law regarding this section and sections 161.670,
2 162.996, 167.013, 167.031, 167.042, 167.061, 167.600, 167.619, 210.167, 210.211, 211.031,
3 and 452.375, a "home school" is a school, whether incorporated or unincorporated,
4 that:

5 (1) Has as its primary purpose the provision of private or religious-based
6 instruction;

7 (2) Enrolls children between the ages of seven years and the compulsory
8 attendance age for the school district in which the home school is located, of which no
9 more than four are unrelated by affinity or consanguinity in the third degree;

10 (3) Does not charge or receive consideration in the form of tuition, fees, or other
11 remuneration in a genuine and fair exchange for provision of instruction;

12 (4) Does not enroll children who participate in the program established in
13 sections 135.712 to 135.719 and sections 166.700 to 166.720; and

14 (5) Is not an FPE school.

15 2. Except as otherwise provided in this subsection, as evidence that a child is
16 receiving regular instruction, the child's parent, guardian, or other person having
17 control or custody of the child shall:

18 (1) Maintain the following records:

19 (a) a. A plan book, diary, or other written record indicating subjects taught and
20 activities engaged in;

21 b. A portfolio of samples of the child's academic work; and

22 c. A record of evaluations of the child's academic progress; or

23 (b) Other written or credible evidence equivalent to subparagraphs a. to c. of
24 paragraph (a) of this subdivision; and

25 (2) Offer at least one thousand hours of instruction, at least six hundred hours of
26 which shall be in reading, language arts, mathematics, social studies, science, or
27 academic courses that are related to such subject areas and consonant with the child's
28 age and ability. At least four hundred of the six hundred hours shall occur at the
29 regular home school location;

30 (3) The requirements of this subsection shall not apply to any pupil sixteen years
31 of age or older.

32 3. The production of a daily log by a parent, guardian, or other person having
33 control or custody of a child showing that a home school has a course of instruction that
34 satisfies the requirements of this section and section 167.031 or, in the case of a pupil
35 sixteen years of age or older who attended a metropolitan school district the previous

36 year, a written statement that the pupil is attending home school in compliance with
37 section 167.031 shall be a defense to any prosecution under section 167.031 and to any
38 charge or action for educational neglect brought under chapter 210. Home school
39 education enforcement and records pursuant to this section, and sections 210.167 and
40 211.031, shall be subject to review only by the local prosecuting attorney.

167.013. 1. For purposes of state law regarding this section and sections 161.670,
2 162.996, 166.700, 167.012, 167.031, 167.061, 167.600, 167.619, 210.167, 210.211, 211.031,
3 and 452.375, a "Family Paced Education (FPE) school" or "FPE school" is a school,
4 whether incorporated or unincorporated, that:

5 (1) Has as its primary purpose the provision of private or religious-based
6 instruction;

7 (2) Enrolls children between the ages of seven years and the compulsory
8 attendance age for the school district in which the FPE school is located, of which no
9 more than four are unrelated by affinity or consanguinity in the third degree;

10 (3) Does not charge or receive consideration in the form of tuition, fees, or other
11 remuneration in a genuine and fair exchange for provision of instruction; and

12 (4) May enroll children who participate in the program established in sections
13 135.712 to 135.719 and sections 166.700 to 166.720.

14 2. Except as otherwise provided in this subsection, as evidence that a child is
15 receiving regular instruction, the child's parent, guardian, or other person having
16 control or custody of the child shall:

17 (1) Maintain the following records:

18 (a) a. A plan book, diary, or other written record indicating subjects taught and
19 activities engaged in;

20 b. A portfolio of samples of the child's academic work; and

21 c. A record of evaluations of the child's academic progress; or

22 (b) Other written or credible evidence equivalent to subparagraphs a. to c. of
23 paragraph (a) of this subdivision; and

24 (2) Offer at least one thousand hours of instruction, at least six hundred hours of
25 which shall be in reading, language arts, mathematics, social studies, science, or
26 academic courses that are related to such subject areas and consonant with the child's
27 age and ability. At least four hundred of the six hundred hours shall occur at the
28 regular FPE school location;

29 (3) The requirements of this subsection shall not apply to any pupil sixteen years
30 of age or older.

31 3. The production of a daily log by a parent, guardian, or other person having
32 control or custody of a child showing that a FPE school has a course of instruction that

33 satisfies the requirements of this section and section 167.031 or, in the case of a pupil
34 sixteen years of age or older who attended a metropolitan school district the previous
35 year, a written statement that the pupil is attending a FPE school in compliance with
36 section 167.031 shall be a defense to any prosecution under section 167.031 and to any
37 charge or action for educational neglect brought under chapter 210. FPE school
38 education enforcement and records pursuant to this section, and sections 210.167 and
39 211.031, shall be subject to review only by the local prosecuting attorney.

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

20 b. **The department of elementary and secondary education shall develop and**
21 **maintain an eighteen hour (one thousand eighty minutes) online teacher preparation**
22 **program related to subjects appropriate for elementary and secondary education**
23 **settings. Any charitable organization registered in Missouri that is exempt from federal**
24 **taxation under the Internal Revenue Code of 1986, as amended, may submit a teacher**
25 **preparation program to the department of elementary and secondary education for**
26 **approval. Once approved, the charitable organization shall be certified to develop and**
27 **maintain a teacher preparedness program. Approved teacher preparedness programs**
28 **created by a charitable organization shall be made available by the department of**
29 **elementary and secondary education. An individual with a bachelor's degree may**
30 **complete an eighteen hour online training program, either created by the department or**

31 **by a charitable organization, and receive a teacher certificate. Such certificate shall not**
32 **be accepted by Missouri public schools, and non-public schools shall not be required to**
33 **accept the certificate;**

34 (b) a. Successful attainment of the Missouri qualifying score on the exit assessment
35 for teachers or administrators designated by the state board of education;

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

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

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

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

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

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

54 (4) By the state board, under rules prescribed by it, on the basis of a relevant
55 bachelor's degree, or higher degree, and a passing score for the designated exit examination,
56 for individuals whose academic degree and professional experience are suitable to provide a
57 basis for instruction solely in the subject matter of banking or financial responsibility, at the
58 discretion of the state board. Such certificate shall be limited to the major area of study of the
59 holder and shall be restricted to those certificates established under subdivision (2) of
60 subsection 3 of this section. Holders of certificates granted under this subdivision shall be
61 exempt from the teacher tenure act under sections 168.102 to 168.130 and each school district
62 shall have the decision-making authority on whether to hire the holders of such certificates;

63 (5) By the state board, under rules and regulations prescribed by it, on the basis of
64 certification by the American Board for Certification of Teacher Excellence (ABCTE) and
65 verification of ability to work with children as demonstrated by sixty contact hours in any one
66 of the following areas as validated by the school principal: sixty contact hours in the
67 classroom, of which at least forty-five must be teaching; sixty contact hours as a substitute

68 teacher, with at least thirty consecutive hours in the same classroom; sixty contact hours of
69 teaching in a private school; or sixty contact hours of teaching as a paraprofessional, for an
70 initial four-year ABCTE certificate of license to teach, except that such certificate shall not be
71 granted for the areas of early childhood education, or special education. For certification in
72 the area of elementary education, ninety contact hours in the classroom shall be required, of
73 which at least thirty shall be in an elementary classroom. Upon the completion of the
74 following requirements, an applicant shall be eligible to apply for a career continuous
75 professional certificate under subdivision (3) of subsection 3 of this section:

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

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

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

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

83 (6) (a) By the state board, under rules and regulations prescribed by the board, which
84 shall issue an initial visiting scholars certificate at the discretion of the board, based on the
85 following criteria:

86 a. Verification from the hiring school district that the applicant will be employed as
87 part of a business-education partnership initiative designed to build career pathways systems
88 or employed as part of an initiative designed to fill vacant positions in hard-to-staff public
89 schools or hard-to-fill subject areas for students in a grade or grades not lower than the ninth
90 grade for which the applicant's academic degree or professional experience qualifies the
91 applicant;

92 b. Appropriate and relevant bachelor's degree or higher, occupational license, or
93 industry-recognized credential;

94 c. Completion of the application for a one-year visiting scholars certificate; and

95 d. Completion of a background check as prescribed under section 168.133.

96 (b) The initial visiting scholars certificate shall certify the holder of such certificate to
97 teach for one year. An applicant shall be eligible to renew an initial visiting scholars
98 certificate a maximum of two times, based upon the completion of the requirements listed
99 under subparagraphs a., b., and d. of paragraph (a) of this subdivision; completion of
100 professional development required by the school district and school; and attainment of a
101 satisfactory performance-based teacher evaluation.

102 2. All valid teaching certificates issued pursuant to law or state board policies and
103 regulations prior to September 1, 1988, shall be exempt from the professional development
104 requirements of this section and shall continue in effect until they expire, are revoked or

105 suspended, as provided by law. When such certificates are required to be renewed, the state
106 board or its designee shall grant to each holder of such a certificate the certificate most nearly
107 equivalent to the one so held. Anyone who holds, as of August 28, 2003, a valid PC-I, PC-II,
108 or continuous professional certificate shall, upon expiration of such person's current
109 certificate, be issued the appropriate level of certificate based upon the classification system
110 established pursuant to subsection 3 of this section.

111 3. (1) Certificates of license to teach in the public schools of the state shall be based
112 upon minimum requirements prescribed by the state board of education which shall include
113 completion of a background check as prescribed in section 168.133. The state board shall
114 provide for the following levels of professional certification: an initial professional certificate
115 and a career continuous professional certificate.

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

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

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

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

129 (3) (a) The career continuous professional certificate shall be issued upon
130 verification of completion of four years of teaching under the initial professional certificate
131 and upon verification of the completion of the requirements articulated in paragraphs (a) to
132 (c) of subdivision (2) of this subsection or paragraphs (a) to (d) of subdivision (5) of
133 subsection 1 of this section.

134 (b) The career continuous professional certificate shall be continuous based upon
135 verification of actual employment in an educational position as provided for in state board
136 guidelines and completion of fifteen contact hours of professional development per year
137 which may include hours spent in class in an appropriate college curriculum. Should the
138 possessor of a valid career continuous professional certificate fail, in any given year, to meet
139 the fifteen-hour professional development requirement, the possessor may, within two years,
140 make up the missing hours. In order to make up for missing hours, the possessor shall first
141 complete the fifteen-hour requirement for the current year and then may count hours in excess

142 of the current year requirement as make-up hours. Should the possessor fail to make up the
143 missing hours within two years, the certificate shall become inactive. In order to reactivate
144 the certificate, the possessor shall complete twenty-four contact hours of professional
145 development which may include hours spent in the classroom in an appropriate college
146 curriculum within the six months prior to or after reactivating the possessor's certificate. The
147 requirements of this paragraph shall be monitored and verified by the local school district
148 which employs the holder of the career continuous professional certificate.

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

- 153 a. Has ten years of teaching experience as defined by the state board of education;
- 154 b. Possesses a master's degree; or
- 155 c. Obtains a rigorous national certification as approved by the state board of
156 education.

157 4. Policies and procedures shall be established by which a teacher who was not
158 retained due to a reduction in force may retain the current level of certification. There shall
159 also be established policies and procedures allowing a teacher who has not been employed in
160 an educational position for three years or more to reactivate the teacher's last level of
161 certification by completing twenty-four contact hours of professional development which
162 may include hours spent in the classroom in an appropriate college curriculum within the six
163 months prior to or after reactivating the teacher's certificate.

164 5. The state board shall, upon completion of a background check as prescribed in
165 section 168.133, issue a professional certificate classification in the areas most closely
166 aligned with an applicant's current areas of certification, commensurate with the years of
167 teaching experience of the applicant, to any person who is hired to teach in a public school in
168 this state and who possesses a valid teaching certificate from another state or certification
169 under subdivision (4) of subsection 1 of this section, provided that the certificate holder shall
170 annually complete the state board's requirements for such level of certification, and shall
171 establish policies by which residents of states other than the state of Missouri may be assessed
172 a fee for a certificate of license to teach in the public schools of Missouri. Such fee shall be in
173 an amount sufficient to recover any or all costs associated with the issuing of a certificate of
174 license to teach. The board shall promulgate rules to authorize the issuance of a provisional
175 certificate of license, which shall be valid for three years and shall allow the holder to assume
176 classroom duties pending the completion of a criminal background check under section
177 168.133, for any applicant who:

- 178 (1) Is the spouse of a member of the Armed Forces stationed in Missouri;

- 179 (2) Relocated from another state within one year of the date of application;
- 180 (3) Underwent a criminal background check in order to be issued a teaching
181 certificate of license from another state; and
- 182 (4) Otherwise qualifies under this section.
- 183 6. The state board may assess to holders of an initial professional certificate a fee, to
184 be deposited into the excellence in education fund established pursuant to section 160.268, for
185 the issuance of the career continuous professional certificate. However, such fee shall not
186 exceed the combined costs of issuance and any criminal background check required as a
187 condition of issuance. Applicants for the initial ABCTE certificate shall be responsible for
188 any fees associated with the program leading to the issuance of the certificate, but nothing in
189 this section shall prohibit a district from developing a policy that permits fee reimbursement.
- 190 7. Any member of the public school retirement system of Missouri who entered
191 covered employment with ten or more years of educational experience in another state or
192 states and held a certificate issued by another state and subsequently worked in a school
193 district covered by the public school retirement system of Missouri for ten or more years who
194 later became certificated in Missouri shall have that certificate dated back to the member's
195 original date of employment in a Missouri public school.
- 196 8. Within thirty days of receiving an application from a spouse of an active duty
197 member of the Armed Forces of the United States who has been transferred or is scheduled to
198 be transferred to the state of Missouri, or who has been transferred or is scheduled to be
199 transferred to an adjacent state and is or will be domiciled in the state of Missouri, or has
200 moved to the state of Missouri on a permanent change-of-station basis and has successfully
201 completed the background check described under subsection 5 of this section and section
202 168.133, the state board shall issue to such applicant a full certificate of license to teach,
203 provided that the applicant has paid all necessary fees and has otherwise met all requirements
204 to be issued such a certificate.

571.010. As used in this chapter, the following terms shall mean:

- 2 (1) "Antique, curio or relic firearm", any firearm so defined by the National Gun
3 Control Act, 18 U.S.C. Title 26, Section 5845, and the United States Treasury/Bureau of
4 Alcohol Tobacco and Firearms, 27 CFR Section 178.11:
- 5 (a) "Antique firearm" is any firearm not designed or redesigned for using rim fire or
6 conventional center fire ignition with fixed ammunition and manufactured in or before 1898,
7 said ammunition not being manufactured any longer; this includes any matchlock, wheel
8 lock, flintlock, percussion cap or similar type ignition system, or replica thereof;
- 9 (b) "Curio or relic firearm" is any firearm deriving value as a collectible weapon due
10 to its unique design, ignition system, operation or at least fifty years old, associated with a
11 historical event, renown personage or major war;

12 (2) "Blackjack", any instrument that is designed or adapted for the purpose of
13 stunning or inflicting physical injury by striking a person, and which is readily capable of
14 lethal use;

15 (3) "Blasting agent", any material or mixture, consisting of fuel and oxidizer that is
16 intended for blasting, but not otherwise defined as an explosive under this section, provided
17 that the finished product, as mixed for use of shipment, cannot be detonated by means of a
18 numbered 8 test blasting cap when unconfined;

19 (4) "Concealable firearm", any firearm with a barrel less than sixteen inches in length,
20 measured from the face of the bolt or standing breech;

21 (5) "Deface", to alter or destroy the manufacturer's or importer's serial number or any
22 other distinguishing number or identification mark;

23 (6) "Detonator", any device containing a detonating charge that is used for initiating
24 detonation in an explosive, including but not limited to, electric blasting caps of instantaneous
25 and delay types, nonelectric blasting caps for use with safety fuse or shock tube and
26 detonating cord delay connectors;

27 (7) "Explosive weapon", any explosive, incendiary, or poison gas bomb or similar
28 device designed or adapted for the purpose of inflicting death, serious physical injury, or
29 substantial property damage; or any device designed or adapted for delivering or shooting
30 such a weapon. For the purposes of this subdivision, the term "explosive" shall mean any
31 chemical compound mixture or device, the primary or common purpose of which is to
32 function by explosion, including but not limited to, dynamite and other high explosives, pellet
33 powder, initiating explosives, detonators, safety fuses, squibs, detonating cords, igniter cords,
34 and igniters or blasting agents;

35 (8) "Firearm", any weapon that is designed or adapted to expel a projectile by the
36 action of an explosive;

37 (9) "Firearm silencer", any instrument, attachment, or appliance that is designed or
38 adapted to muffle the noise made by the firing of any firearm;

39 (10) "Gas gun", any gas ejection device, weapon, cartridge, container or contrivance
40 other than a gas bomb that is designed or adapted for the purpose of ejecting any poison gas
41 that will cause death or serious physical injury, but not any device that ejects a repellant or
42 temporary incapacitating substance;

43 (11) "Intoxicated", substantially impaired mental or physical capacity resulting from
44 introduction of any substance into the body;

45 (12) "Knife", any dagger, dirk, stiletto, or bladed hand instrument that is readily
46 capable of inflicting serious physical injury or death by cutting or stabbing a person. For
47 purposes of this chapter, "knife" does not include any ordinary pocketknife with no blade
48 more than four inches in length;

49 (13) "Knuckles", any instrument that consists of finger rings or guards made of a hard
50 substance that is designed or adapted for the purpose of inflicting serious physical injury or
51 death by striking a person with a fist enclosed in the knuckles;

52 (14) "Machine gun", any firearm that is capable of firing more than one shot
53 automatically, without manual reloading, by a single function of the trigger;

54 (15) "Projectile weapon", any bow, crossbow, pellet gun, slingshot or other weapon
55 that is not a firearm, which is capable of expelling a projectile that could inflict serious
56 physical injury or death by striking or piercing a person;

57 (16) "Rifle", any firearm designed or adapted to be fired from the shoulder and to use
58 the energy of the explosive in a fixed metallic cartridge to fire a projectile through a rifled
59 bore by a single function of the trigger;

60 (17) **"School", any charter school, as such term is defined in section 160.400, any**
61 **private school, as such term is defined in section 166.700, or any public school, as such**
62 **term is defined in section 160.011;**

63 (18) "Short barrel", a barrel length of less than sixteen inches for a rifle and eighteen
64 inches for a shotgun, both measured from the face of the bolt or standing breech, or an overall
65 rifle or shotgun length of less than twenty-six inches;

66 ~~[(18)]~~ (19) "Shotgun", any firearm designed or adapted to be fired from the shoulder
67 and to use the energy of the explosive in a fixed shotgun shell to fire a number of shot or a
68 single projectile through a smooth bore barrel by a single function of the trigger;

69 ~~[(19)]~~ (20) "Spring gun", any fused, timed or nonmanually controlled trap or device
70 designed or adapted to set off an explosion for the purpose of inflicting serious physical injury
71 or death;

72 ~~[(20)]~~ (21) "Switchblade knife", any knife which has a blade that folds or closes into
73 the handle or sheath, and:

74 (a) That opens automatically by pressure applied to a button or other device located
75 on the handle; or

76 (b) That opens or releases from the handle or sheath by the force of gravity or by the
77 application of centrifugal force.

Section 1. Any provision of state law that requires a school district to conduct an
2 **election of the voters of the school district in order to adopt a four-day school week shall**
3 **not apply to any school district that had a four-day school week in the 2023-24 school**
4 **year and that contains all of a city with more than two thousand one hundred fifty but**
5 **fewer than two thousand four hundred inhabitants and is located in a county with more**
6 **than nineteen thousand but fewer than twenty-two thousand inhabitants and with a**

**7 county seat with more than two thousand two hundred twenty but fewer than two
8 thousand five hundred inhabitants.**

✓