

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2306
101ST GENERAL ASSEMBLY

4483H.03C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 162.083, 162.223, 162.241, 162.261, 162.291, 162.301, 162.341, 162.431, 162.459, 162.471, 162.481, 162.492, 162.601, 162.821, 162.825, 162.865, 162.867, and 162.910, RSMo, and to enact in lieu thereof nineteen new sections relating to school board member elections.

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

Section A. Sections 162.083, 162.223, 162.241, 162.261, 162.291, 162.301, 162.341, 2 162.431, 162.459, 162.471, 162.481, 162.492, 162.601, 162.821, 162.825, 162.865, 162.867, 3 and 162.910, RSMo, are repealed and nineteen new sections enacted in lieu thereof, to be 4 known as sections 162.082, 162.083, 162.223, 162.241, 162.261, 162.291, 162.301, 162.341, 5 162.431, 162.459, 162.471, 162.481, 162.492, 162.601, 162.821, 162.825, 162.865, 162.867, 6 and 162.910, to read as follows:

162.082. 1. Beginning January 1, 2023, every school board member election 2 shall be the first Tuesday after the first Monday in November of even-numbered years, 3 and the term of every school board member elected in 2024 or thereafter shall be four 4 years, except as specifically provided in other sections.

5 2. No school board election shall be held in 2023 or any other odd-numbered 6 year. Any school board member whose term expires in 2023 or any other odd-numbered 7 year shall continue to serve until the election in the following even-numbered year. The 8 term of any board member serving a term as of January 1, 2023, may be lengthened in 9 accordance with this section but shall not be shortened.

10 3. In an even-numbered year, the number of school board seats to be elected 11 shall be equal to those with terms that would have expired in the previous odd- 12 numbered year and those with terms expiring in the even-numbered year, except that no

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.

13 election in an even-numbered year shall be for more than four members of the school
14 board. Except as specifically provided in other sections, the candidates in each school
15 board election receiving the highest number of votes shall be elected for terms of four
16 years.

17 4. As used in this chapter, "school board member election" or "school board
18 election" means the election held on the first Tuesday after the first Monday of
19 November in even-numbered years starting in 2024.

162.083. 1. The state board of education may appoint additional members to any
2 special administrative board appointed under section 162.081.

3 2. The state board of education may set a final term of office for any member of a
4 special administrative board, after which a successor member shall be elected by the voters of
5 the district.

6 (1) All final terms of office for members of the special administrative board
7 established under this section shall expire on June thirtieth.

8 (2) The election of a successor member shall occur on ~~[the general municipal election~~
9 ~~day]~~ **the first Tuesday after the first Monday in November of the even-numbered year**
10 immediately prior to the expiration of the final term of office.

11 (3) The election shall be conducted in a manner consistent with the election laws
12 applicable to the school district.

13 3. Nothing in this section shall be construed as barring an otherwise qualified member
14 of the special administrative board from standing for an elected term on the board.

15 4. On a date set by the state board of education, any district operating under the
16 governance of a special administrative board shall return to local governance, and continue
17 operation as a school district as otherwise authorized by law.

162.223. 1. When the voters in any two or more adjacent districts without limitation
2 as to size or enrollment desire to consolidate and form a new district, a petition asking for an
3 election upon the question of consolidation shall be filed with the boards of education of the
4 affected districts; provided, however, that such petition shall be signed by ten percent of those
5 in each district who voted for school directors at the last election in which such directors were
6 elected, or one hundred voters, whichever is the higher number.

7 2. As an alternative to the procedure in subsection 1 of this section, two or more
8 adjacent districts may, by a majority vote of each board of education, call for an election upon
9 the question of consolidation.

10 3. The question shall be submitted in substantially the following form:

11 Shall the _____ school district and the _____ school district (and the _____ school
12 district) form a new district with a tax rate ceiling of _____ per one hundred dollars of
13 assessed valuation? If this proposition is approved, the adjusted operating levy of the new

14 school district is estimated to be _____ (amount) per one hundred dollars of assessed
15 valuation.

16 4. The board of directors of each affected district shall cause the question to be
17 included on the ballot to be submitted to the voters in each such district at the next election
18 day. A plat of the proposed new district shall be published and posted with the notices of
19 election.

20 5. The results of the voting on the proposal in each district affected shall be certified
21 to the state commissioner of education by the secretary of each board of education of each
22 district or by such other person or body charged with conducting such elections and, should
23 the majority of the votes cast in each affected district be in favor of the proposal, the state
24 commissioner shall declare the new district formed as of July first following the submission
25 of the question.

26 6. If the commissioner of education declares, before the closing date for filing for the
27 election of board members [~~on the municipal election date~~], that the new district is to be
28 formed as of July first, no candidates shall be certified by the districts involved in the
29 consolidation and the board members whose terms would otherwise have expired on that date
30 shall remain as board members until July first. In consolidation cases where there is
31 insufficient time from the date the commissioner of education declares that the new district
32 shall be formed as of July first and July first to hold an election of board members, seven
33 board members from the boards of the consolidating districts shall be drawn by lot to serve
34 until the next election at which the new board of education can be elected. The number of
35 board members selected from one district shall not exceed the quotient resulting from seven
36 divided by the number of districts consolidating rounded down to the nearest whole number
37 plus one. The commissioner of education or a designee shall supervise the drawing, by lot, of
38 the board members which shall be approved by the state board of education.

162.241. If a proposal to form a district pursuant to the provisions of sections 162.171
2 to 162.191, 162.211 and 162.221, or section 162.223 receives the required majority of the
3 votes cast on the proposition, the state board of education or the county commission, in the
4 case of a district formed pursuant to the provisions of sections 162.171 to 162.191 or 162.211
5 and 162.221, shall order an election in the district to be held. This election shall be for the
6 purpose of electing seven members to serve on the school board of the district. Such election
7 shall be held on the [~~next election day as provided under section 115.123~~] **first Tuesday after**
8 **the first Monday in November of an even-numbered year**. The election shall be
9 conducted in the manner provided by section 162.371. A letter from the commissioner of
10 education, delivered by certified mail to the presiding commissioner of the county
11 commission of the county to which the district formed by provisions of section 162.223 is
12 assigned shall be the authority for the county commission to proceed with election procedures

13 in the same manner as they would be performed by the district board of education were it in
14 existence; but the costs of the election shall be paid from the incidental fund of the new
15 district. ~~[Two]~~ **Three** directors shall be elected to serve ~~[until the next municipal election]~~
16 **two-year terms**, two to serve ~~[until the second municipal election]~~ **four-year terms**, and two
17 to serve ~~[until the third municipal election. The seventh board member shall be elected to~~
18 ~~serve until the municipal election during which the majority of school districts elect three~~
19 ~~board members]~~ **six-year terms**. **Any director elected after the initial election shall be**
20 **elected to serve a four-year term.**

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

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

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

162.291. The voters of each seven-director district other than urban districts shall, ~~[at~~
2 ~~municipal elections]~~ **on the first Tuesday after the first Monday in November of even-**
3 **numbered years**, elect ~~[two]~~ directors who are citizens of the United States and resident
4 taxpayers of the district, ~~[who]~~ **in accordance with the provisions of section 162.082. Such**
5 **directors shall** have resided in this state for one year next preceding their election or
6 appointment, and ~~[who are]~~ **be** at least twenty-four years of age.

162.301. 1. Within fourteen days after the election of the first school board in each
2 seven-director district, other than an urban district, and within fourteen days after each annual
3 election, the board shall meet. The newly elected members shall qualify by taking the oath of
4 office prescribed by Article VII, Section 11, of the Constitution of Missouri.

5 2. The board shall organize by the election of a president and vice president, and the
6 board shall, on or before the fifteenth day of [~~July of each year~~] **January in odd-numbered**
7 **years**, elect a secretary and a treasurer, who shall enter upon their respective duties on the
8 fifteenth day of [~~July~~] **January**. The secretary and treasurer may be or may not be members
9 of the board. No compensation shall be granted to either the secretary or the treasurer until
10 his **or her** report and settlement are made and filed or published as the law directs.

11 3. A majority of the board constitutes a quorum for the transaction of business, but no
12 contract shall be let, person employed, bill approved or warrant ordered unless a majority of
13 the whole board votes therefor.

 162.341. The [~~annual~~] **school board member** election in seven-director districts,
2 except urban districts, shall be held on [~~municipal election days~~] **the first Tuesday after the**
3 **first Monday in November of even-numbered years**.

 162.431. 1. When it is necessary to change the boundary lines between seven-
2 director school districts, in each district affected, ten percent of the voters by number of those
3 voting for school board members in the last [~~annual~~] school election in each district may
4 petition the district boards of education in the districts affected, regardless of county lines, for
5 a change in boundaries. The question shall be submitted at the next election, as the term
6 election is referenced and defined in section 115.123.

7 2. The voters shall decide the question by a majority vote of those who vote upon the
8 question. If assent to the change is given by each of the various districts voting, each voting
9 separately, the boundaries are changed from that date.

10 3. If one of the districts votes against the change and the other votes for the change,
11 the matter may be appealed to the state board of education, in writing, within fifteen days of
12 the submission of the question by either one of the districts affected, or in the above event by
13 a majority of the signers of the petition requesting a vote on the proposal. At the first meeting
14 of the state board following the appeal, a board of arbitration composed of three members,
15 none of whom shall be a resident of any district affected, shall be appointed. In determining
16 whether it is necessary to change the boundary line between seven-director districts, the board
17 of arbitration shall base its decision upon the following:

18 (1) The presence of school-aged children in the affected area;

19 (2) The presence of actual educational harm to school-aged children, either due to a
20 significant difference in the time involved in transporting students or educational deficiencies
21 in the district which would have its boundary adversely affected; and

22 (3) The presence of an educational necessity, not of a commercial benefit to
23 landowners or to the district benefitting for the proposed boundary adjustment.

24

25 For purposes of subdivision (2) of this subsection, "significant difference in the time involved
26 in transporting students" shall mean a difference of forty-five minutes or more per trip in
27 travel time. "Travel time" is the period of time required to transport a pupil from the pupil's
28 place of residence or other designated pick-up point to the site of the pupil's educational
29 placement.

30 4. Within twenty days after notification of appointment, the board of arbitration shall
31 meet and consider the necessity for the proposed changes and shall decide whether the
32 boundaries shall be changed as requested in the petition or be left unchanged, which decision
33 shall be final. The decision by the board of arbitration shall be rendered not more than thirty
34 days after the matter is referred to the board. The ~~[chairman]~~ **chair** of the board of arbitration
35 shall transmit the decision to the secretary of each district affected who shall enter the same
36 upon the records of his **or her** district and the boundaries shall thereafter be in accordance
37 with the decision of the board of arbitration. The members of the board of arbitration shall be
38 allowed a fee of fifty dollars each, to be paid at the time the appeal is made by the district
39 taking the appeal or by the petitioners should they institute the appeal.

40 5. If the board of arbitration decides that the boundaries shall be left unchanged, no
41 new petition for the same, or substantially the same, boundary change between the same
42 districts shall be filed until after the expiration of two years from the date of the municipal
43 election at which the question was submitted to the voters of the districts.

162.459. 1. Notwithstanding other provisions of law to the contrary, the school board
2 of each school district designated in the statutes as a seven-director or urban school district
3 shall consist of seven members. ~~[At the first election for members of the school board in each
4 of such districts after January 1, 1993, and each three years thereafter, three members of the
5 school board shall be elected; except, no school district composed of seven members as of
6 January 1, 1993, shall be required to modify its schedule of electing board members.]~~ **For all
7 board members serving on January 1, 2023, their terms shall be modified in accordance
8 with the provisions of section 162.082. The term of every board member elected in 2024
9 of thereafter shall be four years.**

10 2. Provisions of law applicable to seven-director and urban school districts, except
11 those which conflict with the provisions of this section, shall apply to and govern the school
12 districts designated in subsection 1 of this section.

162.471. The government and control of an urban school district is vested in a board
2 of seven directors. Each director shall be a voter of the district who has resided within this
3 state for one year next preceding his **or her** election or appointment and who is at least
4 twenty-four years of age. All directors **elected in 2024 or thereafter**, except as otherwise
5 provided in section 162.481 and section 162.492, hold their offices for ~~[six]~~ **four** years and
6 until their successors are duly elected and qualified. **The term of any board member**

7 **7 serving a six-year term on January 1, 2023, shall be modified in accordance with the**
8 **provisions of section 162.082.** All vacancies occurring in the board, except as provided in
9 section 162.492, shall be filled by appointment by the board as soon as practicable, and the
10 person appointed shall hold his **or her** office until the next school board election, when his **or**
11 **her** successor shall be elected for the remainder of the unexpired term. The power of the
12 board to perform any official duty during the existence of a vacancy continues unimpaired
13 thereby.

162.481. 1. Except as otherwise provided [~~in this section and~~] in section 162.492, all
2 elections of school directors in urban school districts shall be held [~~biennially at the same~~
3 ~~times and places as municipal elections~~] **on the first Tuesday after the first Monday in**
4 **November of even-numbered years.**

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

23 3. [~~In any school district in which a majority of the district is located in any home rule~~
24 ~~city with more than one hundred fifty five thousand but fewer than two hundred thousand~~
25 ~~inhabitants, elections shall be held annually at the same times and places as general municipal~~
26 ~~elections for all years where one or more terms expire, and the terms shall be for three years~~
27 ~~and until their successors are duly elected and qualified for all directors elected on and after~~
28 ~~August 28, 1998.~~

29 4.] For any school district which becomes an urban school district by reason of the
30 [2000] **2020** federal decennial census, elections shall be held [~~annually at the same times and~~

31 ~~places as general municipal elections]~~ **on the first Tuesday after the first Monday in**
32 **November of even-numbered years** for all years where one or more terms expire, and the
33 terms shall be for ~~[three]~~ **four** years and until their successors are duly elected and qualified
34 for all directors elected on and after ~~[August 28, 2001]~~ **November 5, 2024**.

35 ~~[5. In any school district in any county with a charter form of government and with~~
36 ~~more than three hundred thousand but fewer than four hundred fifty thousand inhabitants~~
37 ~~which becomes an urban school district by reason of the 2010 federal decennial census,~~
38 ~~elections shall be held annually at the same times and places as general municipal elections~~
39 ~~for all years where one or more terms expire, and the terms shall be for three years and until~~
40 ~~their successors are duly elected and qualified for all directors elected on and after April 2,~~
41 ~~2012.~~

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

162.492. 1. In all urban districts containing the greater part of the population of a city
2 which has more than three hundred thousand inhabitants, the election authority of the city in
3 which the greater portion of the school district lies, and of the county if the district includes
4 territory not within the city limits, shall serve ex officio as a redistricting commission. The
5 commission shall on or before November 1, 2018, divide the school district into five
6 subdistricts, all subdistricts being of compact and contiguous territory and as nearly equal in
7 the number of inhabitants as practicable and thereafter the board shall redistrict the district
8 into subdivisions as soon as practicable after each United States decennial census. In
9 establishing the subdistricts each member shall have one vote and a majority vote of the total
10 membership of the commission is required to make effective any action of the commission.

11 2. School elections for the election of directors shall be held on municipal election
12 days in 2014 and 2016. At the election in 2014, directors shall be elected to hold office until
13 2019 and until their successors are elected and qualified. At the election in 2016, directors
14 shall be elected until 2019 and until their successors are elected and qualified. Beginning in
15 2019, school elections for the election of directors shall be held on ~~[the local election date as~~
16 ~~specified in the charter of a home rule city with more than four hundred thousand inhabitants~~
17 ~~and located in more than one county]~~ **the first Tuesday after the first Monday in**
18 **November of even-numbered years. The terms of board members described in this**
19 **section shall be modified in accordance with the provisions of section 162.082.** Beginning

20 at the election for school directors in 2019, the number of directors on the board shall be
21 reduced from nine to seven. Two directors shall be at-large directors and five directors shall
22 represent the subdistricts, with one director from each of the subdistricts. At the 2019
23 election, one of the at-large directors and the directors from subdistricts one, three, and five
24 shall be elected for a two-year term, and the other at-large director and the directors from
25 subdistricts two and four shall be elected for a four-year term. Thereafter, all seven directors
26 shall serve a four-year term. Directors shall serve until the next election and until their
27 successors, then elected, are duly qualified as provided in this section. In addition to other
28 qualifications prescribed by law, each member elected from a subdistrict shall be a resident of
29 the subdistrict from which he or she is elected. The subdistricts shall be numbered from one
30 to five.

31 3. The five candidates, one from each of the subdistricts, who receive a plurality of
32 the votes cast by the voters of that subdistrict and the at-large candidates receiving a plurality
33 of the at-large votes shall be elected. The name of no candidate for nomination shall be
34 printed on the ballot unless the candidate has at least sixty days prior to the election filed a
35 declaration of candidacy with the secretary of the board of directors containing the signatures
36 of at least two hundred fifty registered voters who are residents of the subdistrict within which
37 the candidate for nomination to a subdistrict office resides, and in case of at-large candidates
38 the signatures of at least five hundred registered voters. The election authority shall
39 determine the validity of all signatures on declarations of candidacy.

40 4. In any election either for at-large candidates or candidates elected by the voters of
41 subdistricts, if there are more than two candidates, a majority of the votes are not required to
42 elect but the candidate having a plurality of the votes shall be elected.

43 5. The names of all candidates shall appear upon the ballot without party designation
44 and in the order of the priority of the times of filing their petitions of nomination. No
45 candidate may file both at large and from a subdistrict and the names of all candidates shall
46 appear only once on the ballot, nor may any candidate file more than one declaration of
47 candidacy. All declarations shall designate the candidate's residence and whether the
48 candidate is filing at large or from a subdistrict and the numerical designation of the
49 subdistrict or at-large area.

50 6. The provisions of all sections relating to seven-director school districts shall also
51 apply to and govern urban districts in cities of more than three hundred thousand inhabitants,
52 to the extent applicable and not in conflict with the provisions of those sections specifically
53 relating to such urban districts.

54 7. Vacancies which occur on the school board between the dates of election shall be
55 filled by special election if such vacancy happens more than six months prior to the time of
56 holding an election as provided in subsection 2 of this section. The state board of education

57 shall order a special election to fill such a vacancy. A letter from the commissioner of
58 education, delivered by certified mail to the election authority or authorities that would
59 normally conduct an election for school board members shall be the authority for the election
60 authority or authorities to proceed with election procedures. If a vacancy occurs less than six
61 months prior to the time of holding an election as provided in subsection 2 of this section, no
62 special election shall occur and the vacancy shall be filled ~~[at the next election day on which~~
63 ~~local elections are held as specified in the charter of any home rule city with more than four~~
64 ~~hundred thousand inhabitants and located in more than one county]~~ **on the first Tuesday**
65 **after the first Monday in November of even-numbered years.**

162.601. 1. ~~[Elected members of the board in office on August 28, 1998, shall hold~~
2 ~~office for the length of term for which they were elected, and any members appointed~~
3 ~~pursuant to section 162.611 to fill vacancies left by elected members in office on August 28,~~
4 ~~1998, shall serve for the remainder of the term to which the replaced member was elected.~~

5 ~~2. No board members shall be elected at the first municipal election in an odd-~~
6 ~~numbered year next following August 28, 1998.~~

7 ~~3. Three board members shall be elected at the second municipal election in an odd-~~
8 ~~numbered year next following August 28, 1998, to serve four-year terms.~~

9 ~~4. Four board members shall be elected at the third municipal election in an odd-~~
10 ~~numbered year next following August 28, 1998, and two of such members shall be elected to~~
11 ~~four-year terms and two of such members shall be elected to three-year terms. For the two~~
12 ~~members elected at the municipal election in 2006, the terms of such members shall expire~~
13 ~~after their successors are elected and qualified pursuant to subsection 6 of this section.~~

14 ~~5. Beginning with the fourth municipal election in an odd-numbered year next~~
15 ~~following August 28, 1998, and at each succeeding municipal election in a year during which~~
16 ~~board member terms expire, there shall be elected members of the board of education, who~~
17 ~~shall assume the duties of their office at the first regular meeting of the board of education~~
18 ~~after their election, and who shall hold office for four years, and until their successors are~~
19 ~~elected and qualified.~~

20 ~~6. For the two board members who are elected at the municipal election in 2006, their~~
21 ~~successors thereafter shall be elected at the general election in the year in which their terms~~
22 ~~expire.] All board members shall be elected at elections held on the first Tuesday after~~
23 **the first Monday in November of even-numbered years. For all board members serving**
24 **terms as of January 1, 2023, their terms shall be modified in accordance with the**
25 **provisions of section 162.082. The term of every board member elected in 2024 or**
26 **thereafter shall be four years.**

27 ~~[7.] 2. Members of the board of directors shall be elected to represent seven~~
28 ~~subdistricts. The subdistricts shall be established by the state board of education to be~~

29 compact, contiguous and as nearly equal in population as practicable. The subdistricts shall
30 be revised by the state board of education after each decennial census and at any other time
31 the state board determines that the district's demographics have changed sufficiently to
32 warrant redistricting.

33 ~~[8-]~~ **3.** A member shall reside in and be elected in the subdistrict which the member is
34 elected to represent. Subdistrict 1 shall be comprised of wards 1, 2, 22 and 27. Subdistrict 2
35 shall be comprised of wards 3, 4, 5 and 21. Subdistrict 3 shall be comprised of wards 18, 19,
36 20 and 26. Subdistrict 4 shall be comprised of wards 6, 7, 17 and 28. Subdistrict 5 shall be
37 comprised of wards 9, 10, 11 and 12. Subdistrict 6 shall be comprised of wards 13, 14, 16 and
38 25. Subdistrict 7 shall be comprised of wards 8, 15, 23 and 24.

162.821. The district secretary shall keep a record of the proceedings of all ~~annual~~
2 ~~and special~~ elections of the voters of the district and of the proceedings of the board of
3 education. He **or she** shall make copies of the election notices, contracts with teachers,
4 certificates and all other papers relating to the business of the district, and securely keep the
5 same. He **or she** shall maintain a correct plat of the district and shall promptly notify the
6 department of elementary and secondary education and the county clerk of each county
7 affected of all changes in the boundaries of the district. He **or she** shall transmit to the county
8 commission and to the state department of elementary and secondary education, on or before
9 the fifteenth day of August in each year, a report embracing the following items:

- 10 (1) The number of children, male and female, attending the public schools during the
11 year;
- 12 (2) Total number of days' attendance by all such children;
- 13 (3) The number of days the public schools of the district have been maintained during
14 the school year;
- 15 (4) The number of teachers employed, male and female, and the wages per month of
16 each;
- 17 (5) Estimated value of school property owned and managed by the district;
- 18 (6) Assessed valuation of the district;
- 19 (7) Rate of school tax on the assessed valuation of the district;
- 20 (8) Cash on hand at the beginning of the year;
- 21 (9) Tuition fees received and credited to the teachers' fund of the district;
- 22 (10) Public funds received by county treasurer;
- 23 (11) District tax received by county (or township) treasurer;
- 24 (12) Amount paid on teachers' wages;
- 25 (13) Amount paid for incidental expenses;
- 26 (14) Amount expended for purchasing site, erecting schoolhouses, rent and repairs;

- 27 (15) Amount expended in cancelling bonded indebtedness and paying interest on
28 same;
- 29 (16) Amount expended for library;
- 30 (17) Cash on hand at the end of the year; **and**
- 31 (18) Such other information as may be required by the state board of education.

162.825. Whenever there is presented to the state board of education a petition signed
2 by voters in each district in the proposed special district equal in number in each district to
3 five percent of the number of votes cast for school board members in the last annual school
4 election praying (a) that a special school district embracing the entire area described in the
5 petition be organized for the education and training of handicapped and severely handicapped
6 children and for vocational education purposes; and (b) that a proposal be submitted to the
7 voters of the proposed district for the organization of the special school district, the state
8 board of education, unless section 162.835 applies, shall, within thirty days of the receipt of
9 said petition, direct the board of education of each school district comprising the proposed
10 special district to cause the proposal to be submitted to the voters in each such district at the
11 next ~~[municipal election]~~ **school board member election** or, if the next ~~[annual school]~~
12 election is more than sixty days away, cause the proposal to be submitted to the voters in each
13 such district at a special election called in accordance with law on a date set by the state board
14 of education. The election shall be conducted in each school district comprising the proposed
15 special district in the manner provided by law for the conducting of school district elections
16 generally in sections 162.351 and 162.601, unless a different procedure is specifically
17 provided in sections 162.670 to 162.995.

162.865. The board members of a special school district with a population of not
2 more than one hundred thousand persons shall be elected at large. The seven receiving the
3 largest number of votes shall be elected and the three receiving the highest number of votes
4 cast shall be elected for terms of ~~[three]~~ **six** years each; the two receiving the next highest
5 number of votes cast shall be elected for terms of ~~[two]~~ **four** years each; and the two
6 receiving the next highest number of votes cast shall be elected for terms of ~~[one year]~~ **two**
7 **years** each. ~~[That part of the year between the date of the election of board members and the~~
8 ~~municipal election day of the following year is considered a full year in the terms of the~~
9 ~~members elected.]~~ All board members shall serve until their successors are elected and
10 qualified and the state board of education shall issue certificates of election to the board
11 members elected.

162.867. 1. Board of education members of a special school district with a
2 population of more than one hundred thousand persons in office on August 28, 1999, shall
3 serve the remainder of their terms and shall serve until their successors are duly elected and
4 qualified pursuant to this section.

5 2. On and after August 28, 1999, each new member of a board of education of a
6 special school district with a population of more than one hundred thousand persons shall be
7 elected pursuant to this section by the governing council established pursuant to section
8 162.856.

9 3. Pursuant to this section, each qualified candidate for the board of education of a
10 special school district with a population of more than one hundred thousand persons shall:

11 (1) Be a voter of the district who has resided within the state for one year next
12 preceding selection to the board and is resident in the subdistrict in which the candidate files;

13 **and**

14 (2) Be at least twenty-four years of age.

15 4. No member of the board of education of a special school district with a population
16 of more than one hundred thousand persons shall:

17 (1) Vote on, solicit, transact, offer, or accept any contract between the special school
18 district and any corporation, partnership, association, or other organization in which that
19 member of the board of education has a financial interest, unless otherwise provided herein,
20 excluding interests owned prior to such member's election;

21 (2) Hold any office or employment of profit from the board of education of the
22 special school district while serving. However, nothing in this section shall be construed to
23 preclude a person from being elected to or serving on the board of education of the special
24 school district on the basis that the person is related to a pupil of the special school district or
25 to a pupil of any school district all or a portion of which is contained within the special school
26 district; or

27 (3) Vote on, solicit, transact, offer, or accept any contract or procurement in which
28 that board member shall have a direct or indirect beneficial interest, unless:

29 (a) The material facts as to such member's relationship or interest and as to the
30 contract or transaction are disclosed in writing and are known to the board and governing
31 council, and such governing council and board, in good faith, authorize the contract or
32 transaction by the affirmative vote of the majority of the disinterested members; and

33 (b) Such member's relationship or interest in such contract or transaction shall not be
34 voted upon by such interested member.

35 5. ~~Beginning in April, 1997, and every third year thereafter, two members shall be~~
36 ~~elected. Beginning in April, 1998, and every third year thereafter, two members shall be~~
37 ~~elected. Beginning in April, 1999, and every third year thereafter, three members shall be~~
38 ~~elected.] For all board members serving terms as of January 1, 2023, their terms shall~~
39 **be modified in accordance with the provisions of section 162.082. The term of every**
40 **board member elected in 2024 or thereafter shall be four years.** A member shall be
41 elected to fill each open seat on the board of education.

42 6. Board members **elected in 2024 or thereafter** shall serve [~~three-year~~] **four-year**
43 terms and shall serve until their successors are duly elected and qualified.

44 7. The board of education shall, upon formation and each decade within ninety days
45 following the publication of the final decennial census figures thereafter, adopt a resolution
46 calling for the formation of a redistricting committee. Upon adoption of such resolution, the
47 secretary of the board of education shall forward a certified copy thereof to the state board of
48 education. The redistricting committee shall consist of three residents within the district,
49 appointed by the board of education of the special school district, plus three additional
50 persons resident within the special school district, appointed by the state board of education.
51 Thereafter, the redistricting committee shall meet, organize itself with a chairman and
52 secretary, and proceed with the adoption of a redistricting plan. Any plan proposed to be
53 adopted must receive approval of a majority of the whole redistricting committee. Upon
54 adoption, the redistricting committee shall forward a copy of the plan certified by the
55 secretary of the redistricting committee to the state board of education for its approval or
56 disapproval. The state board of education shall approve any redistricting plan which divides
57 the special district into seven subdistricts of equal population, taking into account insofar as
58 possible existing school district boundary lines. Upon approval by the state board of
59 education, the redistricting plan shall become effective and all board members selected
60 thereafter shall be selected from subdistricts in which they are resident. If the plan is not
61 approved, then it shall be returned to the redistricting committee for revision and
62 resubmission. If a redistricting plan has not been adopted within one year after the
63 publication of the decennial census figures, the state board of education shall provide the
64 redistricting plan. No member of the redistricting committee shall serve on the board of
65 education for a period of six years following such service on the redistricting committee.

66 8. The structure of the board of education and the selection of members of the board
67 of education of a special school district with a population of more than one hundred thousand
68 persons shall be as established pursuant to this section, except as may be otherwise approved
69 by the voters of the special school district under section 162.858.

162.910. At the elections conducted pursuant to section 162.865, the voters of a
2 special district with a population of not more than one hundred thousand persons shall elect,
3 by ballot, two board members to succeed those whose terms have expired and the board
4 members so elected shall hold office for terms of [~~three~~] **four** years and until their successors
5 have been elected and qualified and shall assume the duties of their offices at the first regular
6 meeting of the board of education held after their election. Candidates shall file their
7 declarations of candidacy for office of board member with the secretary of the board of
8 education of the special school district. A majority of the then qualified members of the
9 board of education of the special school district shall certify the candidates receiving the

10 greatest number of votes for terms of ~~three~~ **four** years each and until their successors shall
11 have been elected and qualified, and shall declare and certify the results of the vote cast on
12 any question presented at the election.

✓