

SECOND REGULAR SESSION

# HOUSE BILL NO. 2376

101ST GENERAL ASSEMBLY

---

---

INTRODUCED BY REPRESENTATIVE KELLY (141).

4798H.011

DANA RADEMAN MILLER, Chief Clerk

---

---

## AN ACT

To amend chapter 163, RSMo, by adding thereto one new section relating to residency of children in foster care.

---

---

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

Section A. Chapter 163, RSMo, is amended by adding thereto one new section, to be known as section 163.063, to read as follows:

**163.063. 1. Notwithstanding any other provision of law to the contrary, for the purposes of determining state and local funding for a child's education, the residency of a child who is in foster care under state law shall be the location where the child resides.**

**2. If the child resides in a residential treatment facility or other facility and is unable to attend a public school within the child's resident school district, either because the child may be a safety risk to the child or others or the child has behavioral conditions that support the need to educate the child on such facility's site or campus, the school district shall pass through to such facility at least eighty percent of any state or local moneys paid to the school district on a per-pupil basis for such child in addition to any other moneys available to the school district through the department of elementary and secondary education for such child.**

**3. If the school district provides a teacher or other educational resources to such residential treatment facility or other facility, the district may use moneys provided under subsection 2 of this section to offset the cost of such teacher or other educational resources that are directly attributable to such child in foster care at such facility's site or campus. Such facility shall be afforded reasonable costs associated with such child's education up to the average per-pupil cost. No such facility shall be required to offset**

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.

18 **the costs to the child's resident school district for the education of such child as long as**  
19 **such costs of education do not exceed the average per-pupil spending on an annual basis**  
20 **within the school district.**

21 **4. The school district shall provide an annual accounting to the residential**  
22 **treatment facility or other facility and shall either support or approve the facility's**  
23 **education plan for such child or provide for the child's education on such facility's site**  
24 **or campus.**

✓