

HOUSE BILL NO. 2409

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CURTIS.

6154H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 162, RSMo, by adding thereto three new sections relating to the consolidation of certain school districts, with a contingent effective date.

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

Section A. Chapter 162, RSMo, is amended by adding thereto three new sections, to be known as sections 162.1450, 162.1455, and 162.1460, to read as follows:

162.1450. The purpose of sections 162.1455 to 162.1460 is to accomplish the following objectives for any county with a charter form of government and with more than nine hundred fifty thousand inhabitants:

(1) **Reduce costs incurred for public education in such county;**

(2) **Improve the quality of education in such county;**

(3) **Increase the percentage of the population in such county with at least a high school education;**

(4) **Attract more businesses and people to such county;**

(5) **Increase funding for education in such county by ensuring that such county's schools are socioeconomically diverse; and**

(6) **Ensure that residents of such county are prepared for college and careers.**

162.1455. As used in sections 162.1455 and 162.1460, the following terms mean:

(1) **"Administrative consolidation", the joining of two or more school districts to create a new single school district with one administrative unit and one board of directors;**

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

(3) **"Resulting district", the new school district created as a result of administrative consolidation;**

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.

7 (4) "State board", the state board of education.

162.1460. 1. Any school district that has most or all of its land area located in any
2 county with a charter form of government and with more than nine hundred fifty thousand
3 inhabitants may voluntarily agree to administratively consolidate with all other school
4 districts that have most or all of their land area located in any county with a charter form
5 of government and with more than nine hundred fifty thousand inhabitants in accordance
6 with the requirements and limitations of this section.

7 2. Any school district choosing to voluntarily administratively consolidate as
8 described under subsection 1 of this section shall submit a petition for approval to the state
9 board by September 1, 2017, and shall set forth the terms of the administrative
10 consolidation in the petition. The state board shall approve or deny such petition by
11 January 1, 2018. If the petition is approved by the state board, the administrative
12 consolidation shall be completed by May 1, 2018, to be effective July 1, 2018.

13 3. If no petition for voluntary administrative consolidation is submitted under
14 subsection 2 of this section or if such petition does not receive approval by the state board,
15 the state board shall administratively consolidate all school districts that have most or all
16 of their land area located in any county with a charter form of government and with more
17 than nine hundred fifty thousand inhabitants into a new single school district by May 1,
18 2019, to be effective July 1, 2019.

19 4. Any administrative consolidation under this section shall ensure that, at the time
20 that such consolidation takes place, no attendance area of any school located in the
21 resulting district contains a population with an average household income that is more
22 than thirty thousand dollars higher or lower than the average household income of the
23 population of any other attendance area of any school located in the resulting district.

24 5. The department shall determine the source or sources to be used to calculate the
25 average household income of the population and the procedure to be used in making the
26 calculations necessary to implement subsection 4 of this section.

27 6. The state board shall not deny the petition for voluntary administrative
28 consolidation unless:

29 (1) The provisions contained in the articles of administrative consolidation would
30 violate state or federal law;

31 (2) The provisions contained in the articles of administrative consolidation would
32 not contribute to the betterment of the education of students in the school district;

33 (3) The provisions contained in the articles of administrative consolidation fail to
34 demonstrate compliance with subsection 4 of this section; or

35 **(4) Any school district that has most or all of its land area located in a county with**
36 **a charter form of government and with more than nine hundred fifty thousand inhabitants**
37 **is not included in the administrative consolidation.**

38 **7. The resulting district shall not have more than one superintendent.**

39 **8. Notwithstanding any other provision of law, the state board shall have the power**
40 **to close schools or take any other actions necessary to accomplish the administrative**
41 **consolidation in the manner required by this section.**

42 **9. The department shall promulgate rules to facilitate the administration of sections**
43 **162.1455 to 162.1460. Any rule or portion of a rule, as that term is defined in section**
44 **536.010, that is created under the authority delegated in this section shall become effective**
45 **only if it complies with and is subject to all of the provisions of chapter 536 and, if**
46 **applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of**
47 **the powers vested with the general assembly pursuant to chapter 536 to review, to delay**
48 **the effective date, or to disapprove and annul a rule are subsequently held**
49 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
50 **after August 28, 2016, shall be invalid and void.**

 Section B. Section A of this act shall become effective only upon the passage and
2 approval by the voters of a constitutional amendment submitted to them by the general assembly
3 regarding the removal of prohibitions related to school district boundaries and affairs.

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