

SENATE BILL NO. 516

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR GANNON.

2398S.01H

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal section 171.033, RSMo, and to enact in lieu thereof one new section relating to school make-up days and hours.

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

Section A. Section 171.033, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 171.033, to read as follows:

171.033. 1. "Inclement weather", for purposes of this section, shall be defined as ice, snow, extreme cold, excessive heat, flooding, or a tornado.

2. (1) A district shall be required to make up the first six days of school lost or cancelled due to inclement weather and half the number of days lost or cancelled in excess of six days if the makeup of the days is necessary to ensure that the district's students will attend a minimum of one hundred forty-two days and a minimum of one thousand forty-four hours for the school year except as otherwise provided in this section. Schools with a four-day school week may schedule such make-up days on Fridays.

(2) Notwithstanding subdivision (1) of this subsection, in school year 2019-20 and subsequent years, a district shall be required to make up the first thirty-six hours of school lost or cancelled due to inclement weather and half the number of hours lost or cancelled in excess of thirty-six if the makeup of the hours is necessary to ensure

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 that the district's students attend a minimum of one
20 thousand forty-four hours for the school year, except as
21 otherwise provided under subsections 3 and 4 of this section.

22 3. (1) In the 2009-10 school year and subsequent
23 years, a school district may be exempt from the requirement
24 to make up days of school lost or cancelled due to inclement
25 weather in the school district when the school district has
26 made up the six days required under subsection 2 of this
27 section and half the number of additional lost or cancelled
28 days up to eight days, resulting in no more than ten total
29 make-up days required by this section.

30 (2) In school year 2019-20 and subsequent years, a
31 school district may be exempt from the requirement to make
32 up school lost or cancelled due to inclement weather in the
33 school district when the school district has made up the
34 thirty-six hours required under subsection 2 of this section
35 and half the number of additional lost or cancelled hours up
36 to forty-eight, resulting in no more than sixty total make-
37 up hours required by this section.

38 4. The commissioner of education may provide, for any
39 school district that cannot meet the minimum school calendar
40 requirement of at least one hundred seventy-four days for
41 schools with a five-day school week or one hundred forty-two
42 days for schools with a four-day school week and one
43 thousand forty-four hours of actual pupil attendance or, in
44 school year 2019-20 and subsequent years, one thousand forty-
45 four hours of actual pupil attendance, upon request, a
46 waiver to be excused from such requirement. This waiver
47 shall be requested from the commissioner of education and
48 may be granted if the school was closed due to circumstances
49 beyond school district control, including inclement weather
50 or fire.

51 5. (1) Except as otherwise provided in this
52 subsection, in school year 2020-21 and subsequent years, a
53 district shall not be required to make up any hours of
54 school lost or cancelled due to exceptional or emergency
55 circumstances during a school year if the district has an
56 alternative methods of instruction plan approved by the
57 department of elementary and secondary education for such
58 school year. Exceptional or emergency circumstances shall
59 include, but not be limited to, inclement weather, a utility
60 outage, or an outbreak of a contagious disease. The
61 department of elementary and secondary education shall not
62 approve any such plan unless the district demonstrates that
63 the plan will not negatively impact teaching and learning in
64 the district.

65 (2) If school is closed due to exceptional or
66 emergency circumstances and the district has an approved
67 alternative methods of instruction plan, the district shall
68 notify students and parents on each day of the closure
69 whether the alternative methods of instruction plan is to be
70 implemented for that day. If the plan is to be implemented
71 on any day of the closure, the district shall ensure that
72 each student receives assignments for that day in hard copy
73 form or receives instruction through virtual learning or
74 another method of instruction.

75 (3) A district with an approved alternative methods of
76 instruction plan shall not use alternative methods of
77 instruction as provided for in the plan for more than thirty-
78 six hours during a school year. A district that has used
79 such alternative methods of instruction for thirty-six hours
80 during a school year shall be required, notwithstanding
81 subsections 2 and 3 of this section, to make up any
82 subsequent hours of school lost or cancelled due to

83 exceptional or emergency circumstances during such school
84 year.

85 (4) The department of elementary and secondary
86 education shall give districts with approved alternative
87 methods of instruction plans credit for the hours in which
88 they use alternative methods of instruction by considering
89 such hours as hours in which school was actually in session.

90 (5) Any district wishing to use alternative methods of
91 instruction under this subsection shall submit an
92 application to the department of elementary and secondary
93 education. The application shall describe:

94 (a) The manner in which the district intends to
95 strengthen and reinforce instructional content while
96 supporting student learning outside the classroom
97 environment;

98 (b) The process the district intends to use to
99 communicate to students and parents the decision to
100 implement alternative methods of instruction on any day of a
101 closure;

102 (c) The manner in which the district intends to
103 communicate the purpose and expectations for a day in which
104 alternative methods of instruction will be implemented to
105 students and parents;

106 (d) The assignments and materials to be used within
107 the district for days in which alternative methods of
108 instruction will be implemented to effectively facilitate
109 teaching and support learning for the benefit of the
110 students;

111 (e) The manner in which student attendance will be
112 determined for a day in which alternative methods of
113 instruction will be implemented. The method chosen shall be
114 linked to completion of lessons and activities;

115 (f) The instructional methods, which shall include
116 instruction through electronic means and instruction through
117 other means for students who have no access to internet
118 services or a computer;

119 (g) Instructional plans for students with
120 individualized education programs; and

121 (h) The role and responsibility of certified personnel
122 to be available to communicate with students.

123 6. [For the 2018-19 school year, a district shall be
124 exempt from the requirements of subsections 2 and 3 of this
125 section, and only be required to make up the first six days
126 of school lost or cancelled due to inclement weather] **In the**
127 **2021-22 school year and subsequent years, a school**
128 **district's one-half-day education programs shall be subject**
129 **to the following provisions in proportions appropriate for a**
130 **one-half-day education program, as applicable:**

131 (1) **Requirements in subsection 2 of this section to**
132 **make up days or hours of school lost or cancelled because of**
133 **inclement weather;**

134 (2) **Exemptions in subsection 3 of this section;**

135 (3) **Waiver provisions in subsection 4 of this section;**
136 **and**

137 (4) **Approved alternative methods of instruction**
138 **provisions in subsection 5 of this section.**

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