

FIRST REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]

# HOUSE BILL NO. 682

## 95TH GENERAL ASSEMBLY

1879L.01T

2009

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### AN ACT

To repeal section 171.033, RSMo, and to enact in lieu thereof one new section relating to loss of attendance due to inclement weather, with an emergency clause.

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*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Section A. Section 171.033, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 171.033, to read as follows: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, flooding, or a tornado, but such term shall not include excessive heat.

2. A district shall be required to make up the first six days of school lost or canceled due to inclement weather and half the number of days lost or canceled in excess of six days **except as otherwise provided in this section.**

3. [In the 2005-06 school year, a school district may be exempt from the requirement to make up days of school lost or canceled due to inclement weather occurring after April 1, 2006, in the school district, but such reduction of the minimum number of school days shall not exceed five days when a district has missed more than seven days overall, such reduction to be taken as follows: one day for eight days missed, two days for nine days missed, three days for ten days missed, four days for eleven days missed, and five days for twelve or more days missed. The requirement for scheduling two-thirds of the missed days into the next year's calendar pursuant to subsection 1 of this section shall be waived for the 2006-07 school year.] **In the 2008-09 school year a school district may be exempt from the requirement to make up days of school lost or canceled due to inclement weather in the school district when the school district has made up the six days required under subsection 2 of this section and half the**

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 **number of additional lost or canceled days up to eight days, resulting in no more than ten**  
18 **total make-up days required by this section.**

19 4. The commissioner of education may provide, for any school district in which schools  
20 are in session for twelve months of each calendar year that cannot meet the minimum school  
21 calendar requirement of at least one hundred seventy-four days and one thousand forty-four hours  
22 of actual pupil attendance, upon request, a waiver to be excused from such requirement. This  
23 waiver shall be requested from the commissioner of education and may be granted if the school  
24 was closed due to circumstances beyond school district control, including inclement weather,  
25 flooding or fire.

Section B. Because immediate action is necessary to clarify potential school scheduling  
2 and funding problems, section A of this act is deemed necessary for the immediate preservation  
3 of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act  
4 within the meaning of the constitution, and section A of this act shall be in full force and effect  
5 upon its passage and approval.

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Speaker of the House

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President Pro Tem of the Senate

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Governor