

SECOND REGULAR SESSION

HOUSE BILL NO. 2332

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WITTE.

5354L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 167.151, RSMo, and to enact in lieu thereof one new section relating to school residency requirements, with a penalty provision.

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

Section A. Section 167.151, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 167.151, to read as follows:

167.151. 1. The school board of any district, in its discretion, may admit to the school pupils not entitled to free instruction and prescribe the tuition fee to be paid by them, except as provided in sections 167.121 and 167.131.

2. Orphan children, children with only one parent living, and children whose parents do not contribute to their support--if the children are between the ages of six and twenty years and are unable to pay tuition--may attend the schools of any district in the state in which they have a permanent or temporary home without paying a tuition fee.

3. Any person who pays a school tax in any other district than that in which he resides may send his children to any public school in the district in which the tax is paid and receive as a credit on the amount charged for tuition the amount of the school tax paid to the district; except that any person who owns real estate of which eighty acres or more are used for agricultural purposes and upon which his residence is situated may send his children to public school in any school district in which a part of such real estate, contiguous to that upon which his residence is situated, lies and shall not be charged tuition therefor; so long as thirty-five percent of the real estate is located in the school district of choice. The school district of choice shall count the children in its average daily attendance for the purpose of distribution of state aid through the foundation formula.

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 4. Any owner of agricultural land who, pursuant to subsection 3 of this section, has the
19 option of sending his children to the public schools of more than one district shall exercise such
20 option as provided in this subsection. Such person shall send written notice to all school districts
21 involved specifying to which school district his children will attend by June thirtieth in which
22 such a school year begins. If notification is not received, such children shall attend the school
23 in which the majority of his property lies. Such person shall not send any of his children to the
24 public schools of any district other than the one to which he has sent notice pursuant to this
25 subsection in that school year or in which the majority of his property lies without paying tuition
26 to such school district.

27 5. If a pupil is attending school in a district other than the district of residence and the
28 pupil's parent is teaching in the school district or is a regular employee of the school district
29 which the pupil is attending, then the district in which the pupil attends school shall allow the
30 pupil to attend school upon payment of tuition in the same manner in which the district allows
31 other pupils not entitled to free instruction to attend school in the district. The provisions of this
32 subsection shall apply only to pupils attending school in a district which has an enrollment in
33 excess of thirteen thousand pupils and not in excess of fifteen thousand pupils and which district
34 is located in a county of the first classification with a charter form of government which has a
35 population in excess of six hundred thousand persons and not in excess of nine hundred thousand
36 persons.

37 **6. (1) If a child's parent is an active member of the United States military who is**
38 **required to reside on a military installation because the parent is classified as "key and**
39 **essential personnel", as defined in subdivision (2) of this subsection, the child's parent may**
40 **send the child to public school in either the district of residence or to any other public**
41 **school within a thirty-mile radius of the military installation, provided the parent was**
42 **previously assigned to such installation and the child or a sibling of the child previously**
43 **attended a school in such school district.**

44 **(2) As used in this subsection, "key and essential personnel" means personnel with**
45 **duties requiring their immediate availability on an installation because of military necessity**
46 **or operational requirements, as determined by the commander.**

47 **(3) The school district of choice shall count the child in its average daily attendance**
48 **for the purpose of distribution of state aid through the foundation formula.**

49 **(4) If the school district of choice does not have an existing bus route to provide**
50 **transportation for the child, the child's parent shall be responsible for transporting the**
51 **child to the school district of choice.**

52 **(5) A parent may elect to send his or her child to a public school in a district other**
53 **than the district of residence under the provisions of this section only once per school year.**

54 **(6) Any person who knowingly submits false information to satisfy any requirement**
55 **of this subsection is guilty of a class A misdemeanor.**

56 **(7) In addition to any other penalties authorized by law, a district board may file**
57 **a civil action to recover, from the parent, military guardian, or legal guardian of the pupil,**
58 **the costs of school attendance for any pupil who was enrolled at a school in the district and**
59 **whose parent, military guardian, or legal guardian filed false information to satisfy any**
60 **requirement of this subsection.**

✓