

SECOND REGULAR SESSION

HOUSE BILL NO. 1689

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SWAN (Sponsor), WRIGHT, LAIR, COOKSON, ANDERS,
THOMSON AND HUMMEL (Co-sponsors).

4967L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 160.053, 160.054, and 160.055, RSMo, and to enact in lieu thereof four new sections relating to early childhood education.

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

Section A. Sections 160.053, 160.054, and 160.055, RSMo, are repealed and four new
2 sections enacted in lieu thereof, to be known as sections 160.053, 160.054, 160.055, and
3 163.018, to read as follows:

160.053. 1. **If a school district maintains a prekindergarten program, a child is**
2 **eligible for admission to that prekindergarten program only if the child has reached the**
3 **age of three before the first day of August of the school year beginning in that calendar**
4 **year.** If a school district maintains a kindergarten program, a child is eligible for admission to
5 kindergarten and to the summer school session immediately preceding kindergarten, if offered,
6 if the child reaches the age of five before the first day of August of the school year beginning in
7 that calendar year or if the child is a military dependent who has successfully completed an
8 accredited prekindergarten program or has attended an accredited kindergarten program in
9 another state. A child is eligible for admission to first grade if the child reaches the age of six
10 before the first day of August of the school year beginning in that calendar year or if the child
11 is a military dependent who has successfully completed an accredited kindergarten program in
12 another state.

13 2. Any kindergarten or grade one pupil beginning the school term and any pupil
14 beginning summer school prior to a kindergarten school term in a metropolitan school district
15 or an urban school district containing the greater part of the population of a city which has more

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.

16 than three hundred thousand inhabitants pursuant to section 160.054 or 160.055 and
17 subsequently transferring to another school district in this state in which the child's birth date
18 would preclude such child's eligibility for entrance shall be deemed eligible for attendance and
19 shall not be required to meet the minimum age requirements. The receiving school district shall
20 receive state aid for the child, notwithstanding the provisions of section 160.051.

21 3. Any child who completes the kindergarten year shall not be required to meet the age
22 requirements of a district for entrance into grade one.

23 4. The provisions of this section relating to kindergarten instruction and state aid therefor
24 shall not apply during any particular school year to those districts which do not provide
25 kindergarten classes that year.

160.054. 1. Notwithstanding any provisions of sections 160.051 and 160.053, to the
2 contrary, beginning with the 1997-98 school year, all metropolitan school districts, except as
3 provided in subsection 2 of this section, may establish and enforce a regulation which requires
4 that a child shall have attained the age of **three by August first for purposes of**
5 **prekindergarten if a school district maintains such a program, the age of** five for purposes
6 of kindergarten and summer school prior to a kindergarten school term, and the age of six for
7 purposes of grade one, on or before any date between August first and October first of that year.
8 The school district shall receive state aid for any child admitted to kindergarten, summer school
9 prior to kindergarten, or grade one pursuant to this section, notwithstanding the provisions of
10 section 160.051.

11 2. Any kindergarten or grade one pupil beginning the school term and any pupil
12 beginning summer school prior to a kindergarten school term in a metropolitan school district
13 and subsequently transferring to another school district in this state in which the child's birth date
14 would preclude such child's eligibility for entrance shall be deemed eligible for attendance and
15 shall not be required to meet the minimum age requirements. The receiving school district shall
16 receive state aid for the child, notwithstanding the provisions of section 160.051.

17 3. Any child who completes the kindergarten year in a metropolitan school district shall
18 not be required to meet the minimum age requirements of another school district in this state for
19 entrance into grade one.

20 4. The provisions of subsections 1 and 2 of this section, relating to kindergarten
21 instruction and state aid therefor, shall not apply during any particular school year to those
22 districts which do not provide kindergarten classes that year.

160.055. 1. Notwithstanding any provisions of sections 160.051 and 160.053, to the
2 contrary, beginning with the 1997-98 school year, all urban school districts containing the greater
3 part of the population of a city which has more than three hundred thousand inhabitants, except
4 as provided in subsection 2 of this section, may establish and enforce a regulation which requires

5 that a child shall have attained the age of **three by August first for purposes of**
6 **prekindergarten if a school district maintains such a program, the age of five** for purposes
7 of kindergarten and summer school prior to a kindergarten school term, and the age of six for
8 purposes of grade one, on or before any date between August first and October first of that year.
9 The school district shall receive state aid for any child admitted to kindergarten, summer school
10 prior to kindergarten, or grade one pursuant to this section, notwithstanding the provisions of
11 section 160.051.

12 2. Any kindergarten or grade one pupil beginning the school term and any pupil
13 beginning summer school prior to a kindergarten school term in an urban school district in this
14 state containing the greater part of the population of a city which has more than three hundred
15 thousand inhabitants and subsequently transferring to another school district in this state in which
16 the child's birth date would preclude such child's eligibility for entrance shall be deemed eligible
17 for attendance and shall not be required to meet the minimum age requirements. The receiving
18 school district shall receive state aid for the child, notwithstanding the provisions of section
19 160.051.

20 3. Any child who completes the kindergarten year in an urban school district containing
21 the greater part of the population of a city which has more than three hundred thousand
22 inhabitants shall not be required to meet the minimum age requirements of another school district
23 in this state for entrance into grade one.

24 4. The provisions of subsections 1 and 2 of this section, relating to kindergarten
25 instruction and state aid therefor, shall not apply during any particular school year to those
26 districts which do not provide kindergarten classes that year.

163.018. 1. Notwithstanding the definition of average daily attendance in
2 **subdivision (2) of section 163.011 to the contrary, pupils ages three and four who are**
3 **eligible for free and reduced lunch and attend an early childhood education program that:**

4 **(1) Is operated by and in a district or by a charter school**

5 **either of which provides full-day kindergarten; and**

6 **(2) Meets standards established by the state board of education,**

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8 **shall be included in the district's calculation of average daily attendance provided that, for**
9 **any district or charter school, the total number of three- and four-year-old pupils so**
10 **included in the definition of average daily attendance shall not exceed two percent of the**
11 **total number of pupils between the ages of three and eighteen who are included in the**
12 **district's or charter school's calculation of average daily attendance.**

13 2. The provisions of this section shall become applicable in any school year
14 subsequent to a school year in which the amount appropriated under subsections 1 and 2

15 of section 163.031 is equal to or exceeds the amount necessary to fund the entire entitlement
16 calculation determined under subsections 1 and 2 of section 163.031, and shall remain
17 applicable in all school years thereafter, irrespective of the amount appropriated under
18 subsections 1 and 2 of section 163.031 in any succeeding year.

19 3. This section shall not require school attendance beyond that mandated under
20 section 167.031 and shall not change or amend the provisions of sections 160.051, 160.053,
21 160.054, and 160.055 relating to kindergarten attendance.

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