

SECOND REGULAR SESSION

[CORRECTED]

HOUSE BILL NO. 2595

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ELLINGTON.

5675H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 160.665, 162.215, 162.553, 162.641, 162.1100, 167.020, 167.031, 167.091, 168.171, and 168.211, RSMo, and to enact in lieu thereof eleven new sections relating to elementary and secondary education.

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

Section A. Sections 160.665, 162.215, 162.553, 162.641, 162.1100, 167.020, 167.031, 167.091, 168.171, and 168.211, RSMo, are repealed and eleven new sections enacted in lieu thereof, to be known as sections 160.440, 160.665, 162.215, 162.553, 162.641, 162.1100, 167.020, 167.031, 167.091, 168.171, and 168.211, to read as follows:

160.440. 1. For purposes of this section, "magnet school" means a school with specialized curricula that draws its student body from geographic areas outside the attendance zone of such school but within the attendance zone of the school district in which such school is located.

2. Notwithstanding any other provision of law, a school district may convert any school within its district into a magnet school. Any student who lives within the attendance zone of the school district may attend such magnet school, subject to the provisions of subsection 3 of this section.

3. If capacity is insufficient to enroll all students who seek admission to the magnet school, the magnet school shall have an admissions process that assures that all students who seek admission have an equal chance of gaining admission, except that the magnet

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.

12 school may give a preference for admission of students who submit an application for
13 admission before a certain date.

14 4. A school district shall not be required to provide transportation to any student
15 attending a magnet school who lives outside the attendance zone of such school but within
16 the attendance zone of the school district.

17 5. This section shall not apply to any magnet school that was operating before the
18 effective date of this section.

160.665. 1. Any school district within the state may designate one or more elementary
2 or secondary school teachers or administrators as a school protection officer. The responsibilities
3 and duties of a school protection officer are voluntary and shall be in addition to the normal
4 responsibilities and duties of the teacher or administrator. Any compensation for additional
5 duties relating to service as a school protection officer shall be funded by the local school
6 district, with no state funds used for such purpose.

7 2. Any person designated by a school district as a school protection officer shall be
8 authorized to carry concealed firearms or a self-defense spray device in any school in the district.
9 A self-defense spray device shall mean any device that is capable of carrying, and that ejects,
10 releases, or emits, a nonlethal solution capable of incapacitating a violent threat. The school
11 protection officer shall not be permitted to allow any firearm or device out of his or her personal
12 control while that firearm or device is on school property. Any school protection officer who
13 violates this subsection may be removed immediately from the classroom and subject to
14 employment termination proceedings.

15 3. A school protection officer has the same authority to detain or use force against any
16 person on school property as provided to any other person under chapter 563.

17 4. Upon detention of a person under subsection 3 of this section, the school protection
18 officer shall immediately notify a school administrator and a school resource officer, if such
19 officer is present at the school. If the person detained is a student then the parents or guardians
20 of the student shall also be immediately notified by a school administrator.

21 5. Any person detained by a school protection officer shall be turned over to a school
22 administrator or law enforcement officer as soon as practically possible and shall not be detained
23 by a school protection officer for more than one hour.

24 6. Any teacher or administrator of an elementary or secondary school who seeks to be
25 designated as a school protection officer shall request such designation in writing, and submit
26 it to the [superintendent] board of the school district which employs him or her as a teacher or
27 administrator. Along with this request, any teacher or administrator seeking to carry a concealed
28 firearm on school property shall also submit proof that he or she has a valid concealed carry
29 endorsement or permit, and all teachers and administrators seeking the designation of school

30 protection officer shall submit a certificate of school protection officer training program
31 completion from a training program approved by the director of the department of public safety
32 which demonstrates that such person has successfully completed the training requirements
33 established by the POST commission under chapter 590 for school protection officers.

34 7. No school district may designate a teacher or administrator as a school protection
35 officer unless such person has successfully completed a school protection officer training
36 program, which has been approved by the director of the department of public safety. No school
37 district shall allow a school protection officer to carry a concealed firearm on school property
38 unless the school protection officer has a valid concealed carry endorsement or permit.

39 8. Any school district that designates a teacher or administrator as a school protection
40 officer shall, within thirty days, notify, in writing, the director of the department of public safety
41 of the designation, which shall include the following:

- 42 (1) The full name, date of birth, and address of the officer;
- 43 (2) The name of the school district; and
- 44 (3) The date such person was designated as a school protection officer.

45

46 Notwithstanding any other provisions of law to the contrary, any identifying information
47 collected under the authority of this subsection shall not be considered public information and
48 shall not be subject to a request for public records made under chapter 610.

49 9. A school district may revoke the designation of a person as a school protection officer
50 for any reason and shall immediately notify the designated school protection officer in writing
51 of the revocation. The school district shall also within thirty days of the revocation notify the
52 director of the department of public safety in writing of the revocation of the designation of such
53 person as a school protection officer. A person who has had the designation of school protection
54 officer revoked has no right to appeal the revocation decision.

55 10. The director of the department of public safety shall maintain a listing of all persons
56 designated by school districts as school protection officers and shall make this list available to
57 all law enforcement agencies.

58 11. Before a school district may designate a teacher or administrator as a school
59 protection officer, the school board shall hold a public hearing on whether to allow such
60 designation. Notice of the hearing shall be published at least fifteen days before the date of the
61 hearing in a newspaper of general circulation within the city or county in which the school
62 district is located. The board may determine at a closed meeting, as "closed meeting" is defined
63 under section 610.010, whether to authorize the designated school protection officer to carry a
64 concealed firearm or a self-defense spray device.

162.215. 1. The school board of any school district may authorize and commission
2 school officers to enforce laws relating to crimes committed on school premises, at school
3 activities, and on school buses operating within the school district only upon the execution of a
4 memorandum of understanding with each municipal law enforcement agency and county sheriff's
5 office which has law enforcement jurisdiction over the school district's premises and location of
6 school activities, provided that the memorandum shall not grant statewide arrest authority.
7 School officers shall be licensed peace officers, as defined in section 590.010, and shall comply
8 with the provisions of chapter 590. The powers and duties of a peace officer shall continue
9 throughout the employee's tenure as a school officer.

10 2. School officers shall abide by district school board policies, all terms and conditions
11 defined within the executed memorandum of understanding with each municipal law
12 enforcement agency and county sheriff's office which has law enforcement jurisdiction over the
13 school district's premises and location of school activities, and shall consult with and coordinate
14 activities through the [school superintendent or the superintendent's designee] **board**. School
15 officers' authority shall be limited to crimes committed on school premises, at school activities,
16 and on school buses operating within the jurisdiction of the executed memorandum of
17 understanding. All crimes involving any sexual offense or any felony involving the threat or use
18 of force shall remain under the authority of the local jurisdiction where the crime occurred.
19 School officers may conduct any justified stop on school property and enforce any local violation
20 that occurs on school grounds. School officers shall have the authority to stop, detain, and arrest
21 for crimes committed on school property, at school activities, and on school buses.

162.553. There may be established for a period of not less than one year nor more than
2 three years within each urban school district with a reported dropout rate in excess of forty
3 percent, an ad hoc committee of thirteen to twenty members on dropout prevention. The
4 committee shall be composed of school personnel, parents, students and community members.
5 The committee members shall be selected by [the superintendent and president of] the school
6 board with input from community organizations, the parent organizations of the district and
7 student organizations of the district.

162.641. 1. In metropolitan districts, the treasurer shall exercise a general supervision
2 over the fiscal affairs of the public schools of the city, the collection and payment of funds to the
3 school depositaries, and the disbursement of all revenues and moneys belonging to the board.
4 He shall deposit daily in the designated depositaries of the board all money collected or received
5 by him for the board. He shall see that no liability is incurred or expenditure made without due
6 authority of law, and that the appropriations are not overdrawn. He shall have supervision of all
7 invested property of the board. He shall be the custodian of all securities, documents, title
8 papers, books of record and other papers belonging to the board, other than books of record of

9 board proceedings. He shall furnish a statement of receipts and disbursements at the times that
10 the rules of the board provide, and at the end of the fiscal year he shall make to the
11 superintendent of schools and the board a full and comprehensive report of its financial affairs
12 for the preceding year. He shall give bond as the board requires, but not less than fifty thousand
13 dollars.

14 2. The treasurer shall be the general accountant of the board and shall preserve in his
15 office all accounts, vouchers and contracts pertaining to school affairs. He shall examine and
16 audit all accounts and demands against the board and certify their correctness. He shall require
17 settlement of accounts to be verified by affidavit whenever he deems proper. He shall keep
18 accounts and shall make available budget and cost information as requested by the
19 superintendent of schools and the board of education.

20 3. The treasurer shall exercise his duties and responsibilities under the administrative
21 supervision and direction of the [superintendent of schools and subject to the rules, regulations
22 and policies of the] board of education.

162.1100. 1. There is hereby established within each city not within a county a school
2 district to be known as the "Transitional School District of (name of city)", which shall be a body
3 corporate and politic and a subdivision of the state. The transitional school district shall be
4 coterminous with the boundaries of the city in which the district is located. Except as otherwise
5 provided in this section and section 162.621, the transitional school district shall be subject to
6 all laws pertaining to "seven-director districts", as defined in section 160.011. The transitional
7 school district shall have the responsibility for educational programs and policies determined by
8 a final judgment of a federal school desegregation case to be needed in providing for a transition
9 of the educational system of the city from control and jurisdiction of a federal court school
10 desegregation order, decree or agreement and such other programs and policies as designated by
11 the governing body of the school district.

12 2. (1) The governing board of the transitional school district shall consist of three
13 residents of the district: one shall be appointed by the governing body of the district, one shall
14 be appointed by the mayor of the city not within a county and one shall be appointed by the
15 president of the board of aldermen of the city not within a county. The members of the
16 governing board shall serve without compensation for a term of three years, or until their
17 successors have been appointed, or until the transitional district is dissolved or terminated. Any
18 tax approved for the transitional district shall be assigned to the governing body of the school
19 district in a city not within a county after dissolution or termination of the transitional district.

20 (2) In the event that the state board of education shall declare the school district of a city
21 not within a county to be unaccredited, the member of the governing board of the transitional
22 district appointed by the governing body of the district as provided in subdivision (1) of this

23 subsection shall, within ninety days, be replaced by a chief executive officer nominated by the
24 state board of education and appointed by the governor with the advice and consent of the senate.
25 The chief executive officer need not be a resident of the district but shall be a person of
26 recognized administrative ability, shall be paid in whole or in part with funds from the district,
27 and shall have all other powers and duties of any other general superintendent of schools[,
28 including appointment of staff]. The chief executive officer shall serve for a term of three years
29 or until his successor is appointed or until the transitional district is dissolved or terminated. His
30 salary shall be set by the state board of education.

31 3. In the event that the school district loses its accreditation, upon the appointment of a
32 chief executive officer, any powers granted to any existing school board in a city not within a
33 county on or before August 28, 1998, shall be vested with the special administrative board of the
34 transitional school district containing such school district so long as the transitional school
35 district exists, except as otherwise provided in section 162.621.

36 4. The special administrative board's powers and duties shall include:

37 (1) Creating an academic accountability plan, taking corrective action in
38 underperforming schools, and seeking relief from state-mandated programs;

39 (2) Exploration of alternative forms of governance for the district;

40 (3) Authority to contract with nonprofit corporations to provide for the operation of
41 schools;

42 (4) Oversight of facility planning, construction, improvement, repair, maintenance and
43 rehabilitation;

44 (5) Authority to establish school site councils to facilitate site-based school management
45 and to improve the responsiveness of the schools to the needs of the local geographic attendance
46 region of the school;

47 (6) Authority to submit a proposal to district voters pursuant to section 162.666
48 regarding establishment of neighborhood schools.

49 5. (1) The provisions of a final judgment as to the state of Missouri and its officials in
50 a school desegregation case which subjects a district in which a transitional district is located in
51 this state to a federal court's jurisdiction may authorize or require the governing body of a
52 transitional school district established under this section to establish the transitional district's
53 operating levy for school purposes, as defined pursuant to section 163.011, at a level not to
54 exceed eighty-five cents per one hundred dollars assessed valuation in the district or a sales tax
55 equivalent amount as determined by the department of elementary and secondary education
56 which may be substituted for all or part of such property tax.

57 (2) Any other statute to the contrary notwithstanding, no tax authorized pursuant to this
58 subsection shall:

59 (a) Be subject to any certificate of tax abatement issued after August 28, 1998, pursuant
60 to sections 99.700 to 99.715; and

61 (b) Effective January 1, 2002, be subject to any new or existing tax increment financing
62 adopted by a city not within a county pursuant to sections 99.800 to 99.865 except that any
63 redevelopment plan and redevelopment project concerning a convention headquarters hotel
64 adopted by ordinance by a city not within a county prior to August 28, 2003, shall be subject to
65 such tax increment financing.

66 (3) The transitional school district shall not be subject to the provisions of section
67 162.081, sections 163.021 and 163.023 with respect to any requirements to maintain a minimum
68 value of operating levy or any consequences provided by law for failure to levy at least such
69 minimum rate. No operating levy or increase in the operating levy or sales tax established
70 pursuant to this section shall be collected for a transitional school district unless prior approval
71 is obtained from a simple majority of the district's voters. The board of the transitional district
72 shall place the matter before the voters prior to March 15, 1999.

73 6. (1) The special administrative board established in this section shall develop,
74 implement, monitor and evaluate a comprehensive school improvement plan, and such plan shall
75 be subject to review and approval of the state board of education. The plan shall ensure that all
76 students meet or exceed grade-level standards established by the state board of education
77 pursuant to section 160.514;

78 (2) The special administrative board shall establish student performance standards
79 consistent with the standards established by the state board of education pursuant to section
80 160.514 for preschool through grade twelve in all skill and subject areas, subject to review and
81 approval of the state board of education for the purpose of determining whether the standards are
82 consistent with standards established by the state board of education pursuant to section 160.514;

83 (3) All students in the district who do not achieve grade-level standards shall be required
84 to attend summer school; except that the provisions of this subsection shall not apply to students
85 receiving special education services pursuant to sections 162.670 to 162.999;

86 (4) No student shall be promoted to a higher grade level unless that student has a reading
87 ability at or above one grade level below the student's grade level; except that the provisions of
88 this subsection shall not apply to students receiving special education services pursuant to
89 sections 162.670 to 162.999;

90 (5) The special administrative board established in this section shall develop, implement
91 and annually update a professional development plan for teachers and other support staff, subject
92 to review and approval of the state board of education.

93 7. The school improvement plan established pursuant to this section shall ensure open
94 enrollment and program access to all students in the district, and, consistent with the Missouri

and United States Constitutions, shall give first priority to residents of the city for admission to magnet schools. The school board shall take all practicable and constitutionally permissible steps to ensure that all magnet schools operate at full capacity. Students who change residence within the district shall be allowed to continue to attend the school in which they were initially enrolled for the remainder of their education at grade levels served by that school, and transportation shall be provided by the district to allow such students to continue to attend such school of initial enrollment.

8. To the extent practicable, the special administrative board shall ensure that per pupil expenditures and pupil-teacher ratios shall be the same for all schools serving students at a given grade level.

9. The special administrative board shall ensure that early childhood education is available throughout the district.

10. The special administrative board shall ensure that vocational education instruction is provided within the district.

11. The special administrative board shall establish an accountability officer whose duty shall be to ensure that academically deficient schools within the district are raised to acceptable condition within two years.

12. The transitional school district in any city not within a county shall be dissolved on July 1, 2008, unless the state board determines, prior to that date, that it is necessary for the transitional district to continue to accomplish the purposes for which it was created. The state board of education may cause the termination of the transitional school district at any time upon a determination that the transitional district has accomplished the purposes for which it was established and is no longer needed. The state board of education may cause the reestablishment of the transitional school district at any time upon a determination that it is necessary for the transitional district to be reestablished to accomplish the purposes established in this section. The state board of education shall provide notice to the governor and general assembly of the termination or reestablishment of the transitional school district and the termination or reestablishment shall become effective thirty days following such determination. Upon dissolution of a transitional school district pursuant to this section, nothing in this section shall be construed to reduce or eliminate any power or duty of any school district or districts containing the territory of the dissolved transitional school district unless such transitional school district is reestablished by the state board of education pursuant to this section.

167.020. 1. As used in this section, the term "homeless child" or "homeless youth" shall mean a person less than twenty-one years of age who lacks a fixed, regular and adequate nighttime residence, including a child or youth who:

(1) Is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; is living in motels, hotels, or camping grounds due to lack of alternative adequate accommodations; is living in emergency or transitional shelters; is abandoned in hospitals; or is awaiting foster care placement;

(2) Has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;

(3) Is living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(4) Is a migratory child or youth who qualifies as homeless because the child or youth is living in circumstances described in subdivisions (1) to (3) of this subsection.

2. In order to register a pupil, the parent or legal guardian of the pupil or the pupil himself or herself shall provide, at the time of registration, one of the following:

(1) Proof of residency in the district. Except as otherwise provided in section 167.151, the term "residency" shall mean that a person both physically resides within a school district and is domiciled within that district or, in the case of a private school student suspected of having a disability under the Individuals With Disabilities Education Act, 20 U.S.C. Section 1412, et seq., that the student attends private school within that district. The domicile of a minor child shall be the domicile of a parent, military guardian pursuant to a military-issued guardianship or court-appointed legal guardian. For instances in which the family of a student living in Missouri co-locates to live with other family members or live in a military family support community because one or both of the child's parents are stationed or deployed out of state or deployed within Missouri under Title 32 or Title 10 active duty orders, the student may attend the school district in which the family member's residence or family support community is located. If the active duty orders expire during the school year, the student may finish the school year in that district; or

(2) Proof that the person registering the student has requested a waiver under subsection 3 of this section within the last forty-five days.

In instances where there is reason to suspect that admission of the pupil will create an immediate danger to the safety of other pupils and employees of the district, the [superintendent or the superintendent's designee] **board** may convene a hearing within five working days of the request to register and determine whether or not the pupil may register.

3. Any person subject to the requirements of subsection 2 of this section may request a waiver from the district board of any of those requirements on the basis of hardship or good cause. Under no circumstances shall athletic ability be a valid basis of hardship or good cause for the issuance of a waiver of the requirements of subsection 2 of this section. The district

40 board or committee of the board appointed by the president and which shall have full authority
41 to act in lieu of the board shall convene a hearing as soon as possible, but no later than forty-five
42 days after receipt of the waiver request made under this subsection or the waiver request shall
43 be granted. The district board or committee of the board may grant the request for a waiver of
44 any requirement of subsection 2 of this section. The district board or committee of the board
45 may also reject the request for a waiver in which case the pupil shall not be allowed to register.
46 Any person aggrieved by a decision of a district board or committee of the board on a request
47 for a waiver under this subsection may appeal such decision to the circuit court in the county
48 where the school district is located.

49 4. Any person who knowingly submits false information to satisfy any requirement of
50 subsection 2 of this section is guilty of a class A misdemeanor.

51 5. In addition to any other penalties authorized by law, a district board may file a civil
52 action to recover, from the parent, military guardian or legal guardian of the pupil, the costs of
53 school attendance for any pupil who was enrolled at a school in the district and whose parent,
54 military guardian or legal guardian filed false information to satisfy any requirement of
55 subsection 2 of this section.

56 6. Subsection 2 of this section shall not apply to a pupil who is a homeless child or
57 youth, or a pupil attending a school not in the pupil's district of residence as a participant in an
58 interdistrict transfer program established under a court-ordered desegregation program, a pupil
59 who is a ward of the state and has been placed in a residential care facility by state officials, a
60 pupil who has been placed in a residential care facility due to a mental illness or developmental
61 disability, a pupil attending a school pursuant to sections 167.121 and 167.151, a pupil placed
62 in a residential facility by a juvenile court, a pupil with a disability identified under state
63 eligibility criteria if the student is in the district for reasons other than accessing the district's
64 educational program, or a pupil attending a regional or cooperative alternative education program
65 or an alternative education program on a contractual basis.

66 7. Within two business days of enrolling a pupil, the school official enrolling a pupil,
67 including any special education pupil, shall request those records required by district policy for
68 student transfer and those discipline records required by subsection 9 of section 160.261 from
69 all schools previously attended by the pupil within the last twelve months. Any school district
70 that receives a request for such records from another school district enrolling a pupil that had
71 previously attended a school in such district shall respond to such request within five business
72 days of receiving the request. School districts may report or disclose education records to law
73 enforcement and juvenile justice authorities if the disclosure concerns law enforcement's or
74 juvenile justice authorities' ability to effectively serve, prior to adjudication, the student whose

75 records are released. The officials and authorities to whom such information is disclosed must
76 comply with applicable restrictions set forth in 20 U.S.C. Section 1232g(b)(1)(E).

167.031. 1. Every parent, guardian or other person in this state having charge, control
2 or custody of a child not enrolled in a public, private, parochial, parish school or full-time
3 equivalent attendance in a combination of such schools and between the ages of seven years and
4 the compulsory attendance age for the district is responsible for enrolling the child in a program
5 of academic instruction which complies with subsection 2 of this section. Any parent, guardian
6 or other person who enrolls a child between the ages of five and seven years in a public school
7 program of academic instruction shall cause such child to attend the academic program on a
8 regular basis, according to this section. Nonattendance by such child shall cause such parent,
9 guardian or other responsible person to be in violation of the provisions of section 167.061,
10 except as provided by this section. A parent, guardian or other person in this state having charge,
11 control, or custody of a child between the ages of seven years of age and the compulsory
12 attendance age for the district shall cause the child to attend regularly some public, private,
13 parochial, parish, home school or a combination of such schools not less than the entire school
14 term of the school which the child attends; except that:

15 (1) A child who, to the satisfaction of the [superintendent of public schools] **board** of
16 the district in which he resides[, or if there is no superintendent then the chief school officer],
17 is determined to be mentally or physically incapacitated may be excused from attendance at
18 school for the full time required, or any part thereof;

19 (2) A child between fourteen years of age and the compulsory attendance age for the
20 district may be excused from attendance at school for the full time required, or any part thereof,
21 by the [superintendent of public schools] **board** of the district, or if there is none then by a court
22 of competent jurisdiction, when legal employment has been obtained by the child and found to
23 be desirable, and after the parents or guardian of the child have been advised of the pending
24 action; or

25 (3) A child between five and seven years of age shall be excused from attendance at
26 school if a parent, guardian or other person having charge, control or custody of the child makes
27 a written request that the child be dropped from the school's rolls.

28 2. (1) As used in sections 167.031 to 167.071, a "home school" is a school, whether
29 incorporated or unincorporated, that:

30 (a) Has as its primary purpose the provision of private or religious-based instruction;

31 (b) Enrolls pupils between the ages of seven years and the compulsory attendance age
32 for the district, of which no more than four are unrelated by affinity or consanguinity in the third
33 degree; and

34 (c) Does not charge or receive consideration in the form of tuition, fees, or other
35 remuneration in a genuine and fair exchange for provision of instruction.

36 (2) As evidence that a child is receiving regular instruction, the parent shall, except as
37 otherwise provided in this subsection:

38 (a) Maintain the following records:

39 a. A plan book, diary, or other written record indicating subjects taught and activities
40 engaged in; and

41 b. A portfolio of samples of the child's academic work; and

42 c. A record of evaluations of the child's academic progress; or

43 d. Other written, or credible evidence equivalent to subparagraphs a., b. and c.; and

44 (b) Offer at least one thousand hours of instruction, at least six hundred hours of which
45 will be in reading, language arts, mathematics, social studies and science or academic courses
46 that are related to the aforementioned subject areas and consonant with the pupil's age and
47 ability. At least four hundred of the six hundred hours shall occur at the regular home school
48 location.

49 (3) The requirements of subdivision (2) of this subsection shall not apply to any pupil
50 above the age of sixteen years.

51 3. Nothing in this section shall require a private, parochial, parish or home school to
52 include in its curriculum any concept, topic, or practice in conflict with the school's religious
53 doctrines or to exclude from its curriculum any concept, topic, or practice consistent with the
54 school's religious doctrines. Any other provision of the law to the contrary notwithstanding, all
55 departments or agencies of the state of Missouri shall be prohibited from dictating through rule,
56 regulation or other device any statewide curriculum for private, parochial, parish or home
57 schools.

58 4. A school year begins on the first day of July and ends on the thirtieth day of June
59 following.

60 5. The production by a parent of a daily log showing that a home school has a course of
61 instruction which satisfies the requirements of this section or, in the case of a pupil over the age
62 of sixteen years who attended a metropolitan school district the previous year, a written statement
63 that the pupil is attending home school in compliance with this section shall be a defense to any
64 prosecution under this section and to any charge or action for educational neglect brought
65 pursuant to chapter 210.

66 6. As used in sections 167.031 to 167.051, the term "compulsory attendance age for the
67 district" shall mean:

68 (1) Seventeen years of age for any metropolitan school district for which the school
69 board adopts a resolution to establish such compulsory attendance age; provided that such

70 resolution shall take effect no earlier than the school year next following the school year during
71 which the resolution is adopted; and

72 (2) Seventeen years of age or having successfully completed sixteen credits towards high
73 school graduation in all other cases. The school board of a metropolitan school district for which
74 the compulsory attendance age is seventeen years may adopt a resolution to lower the
75 compulsory attendance age to sixteen years; provided that such resolution shall take effect no
76 earlier than the school year next following the school year during which the resolution is
77 adopted.

78 7. For purposes of subsection 2 of this section as applied in subsection 6 [herein] **of this**
79 **section**, a "completed credit towards high school graduation" shall be defined as one hundred
80 hours or more of instruction in a course. Home school education enforcement and records
81 pursuant to this section, and sections 210.167 and 211.031, shall be subject to review only by the
82 local prosecuting attorney.

167.091. 1. The school board of any district which has ten thousand inhabitants or more,
2 may establish and maintain from the public school funds one or more special truant or parental
3 day schools in the city or district for children who are either habitual truants from any school in
4 which they are enrolled as pupils, or who, while in attendance at any school are incorrigible,
5 vicious or immoral, or who habitually wander or loiter about the streets or roads or other public
6 places without lawful employment, or who, in the opinion of the board [or of its superintendent
7 of instruction,] require special attention and instruction. The school board[, through its officers,]
8 may assign, require and compel all such children to attend the special truant or parental school
9 or any department of the graded schools that the board directs.

10 2. The board may also establish and maintain from the public school funds, either within
11 or without its district, a parental school for the care and education of any child resident of the
12 school district and committed to it by a juvenile court under the provisions of section 211.181.
13 For every child committed to the school there shall be paid to the board of education out of the
14 treasury of the city or county the sum of ten dollars per month for the support, maintenance,
15 clothing and other expenses of the child from the time of its entrance into the school until its
16 discharge therefrom.

168.171. Each school board employing thirty or more teachers may employ a supervisor
2 of physical education for the schools under its jurisdiction whose qualifications for service shall
3 be established by the state board of education. The supervisor of physical education, under the
4 direction of the [superintendent of schools] **board** of the district, shall supervise the teaching of
5 all subjects related to physical education and the physical well-being of the children under his
6 charge, direct the supervised play and gymnastics in the schools and control school athletics.
7 School boards employing thirty or more teachers may employ, or otherwise provide or secure

8 the service of, a supervisor of health and of one or more school nurses, who shall serve under the
9 administration of the [superintendent of schools] **board** of the district. If the supervisor of
10 physical education is qualified to perform the duties of supervisor of health, he may perform the
11 duties of both offices. All duties performed by the supervisor of health or the school nurses shall
12 be performed with the advice and cooperation of the director of the state department of health
13 and senior services.

168.211. 1. In metropolitan districts the superintendent of schools shall be appointed
2 by the board of education for a term of one to five years[, during which term his compensation
3 shall not be reduced]. The [superintendent of schools] **board** may appoint[, with the approval
4 of the board,] a treasurer[,] **and** a commissioner of school buildings and [he] **they** shall serve at
5 the pleasure of the [superintendent of schools] **board**. [and] **The board may also appoint** as
6 many associate and assistant superintendents as [he] **the board** deems necessary, whose
7 compensation shall be fixed by the board. The superintendent of schools shall give bond in the
8 sum that the board requires but not less than fifty thousand dollars. No employee or agent of the
9 board shall be a member of the board.

10 2. The [superintendent of schools] **board** shall have general supervision[, subject to
11 policies established by the board,] of the school system, including its various departments and
12 physical properties, courses of instruction, discipline and conduct of the schools, textbooks and
13 studies, **and the superintendent shall enforce any decisions made by the board regarding**
14 **these issues**. All appointments, promotions and transfers of teachers and all other employees,
15 and introduction and changes of textbooks and apparatus, shall be made by [the superintendent
16 with the approval of] the board, **and the superintendent shall enforce such decisions**. All
17 appointments and promotions of teachers and all other employees shall be made upon the basis
18 of merit, to be ascertained, as far as practicable, in cases of appointment, by examination, and
19 in cases of promotion, by length and character of service. Examinations for appointment shall
20 be conducted by the [superintendent under regulations to be made by the] board. [He] **The**
21 **superintendent** shall make such reports to the board that it directs or the rules provide.

22 3. The [superintendent of schools] **board** shall have general supervision[, subject to
23 policies established by the board,] of all school buildings, apparatus, equipment and school
24 grounds and of their construction, installation, operation, repair, care and maintenance; the
25 purchasing of all supplies and equipment; the operation of the school lunchrooms; the
26 administration of examinations for the appointment and promotion of all employees of the school
27 system; and the preparation and administration of the annual budget for the school system, **and**
28 **the superintendent shall enforce any decisions made by the board regarding these issues**.
29 [Subject to the approval of the board of education as to number and salaries, the superintendent]

30 **The board** may appoint as many employees as are necessary for the proper performance of [his]
31 **the superintendent's** duties.

32 4. The board may grant a leave of absence to the superintendent of schools, and may
33 remove him from office by vote of a majority of its members.

34 5. Should the [superintendent] **board** hire a commissioner of school buildings, said
35 person shall be a person qualified by reason of education, experience and general familiarity with
36 buildings and personnel to assume the following responsibilities and duties. Subject to the
37 control of the [superintendent of schools] **board**, he shall exercise supervision over all school
38 buildings, machinery, heating systems, equipment, school grounds and other buildings and
39 premises of the board of education and the construction, installation, operation, repair, care and
40 maintenance related thereto and the personnel connected therewith; the purchasing of building
41 supplies and equipment and such other duties as may be assigned to him by board rules or
42 regulations.

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