

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute No. 2 for Senate Substitute No. 2 for Senate Committee
2 Substitute for Senate Bill No. 1050, Page 15, Section 162.064, Line 19, by inserting the following
3 after all of said section and line:
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5 "162.621. 1. The board of education shall have general and supervising control,
6 government and management of the public schools and public school property of the district in the
7 city and shall exercise generally all powers in the administration of the public school system therein.
8 The board of education has all the powers of other school districts under the laws of this state except
9 as herein provided and shall perform all duties required by general laws of school districts so far as
10 they are applicable to the public school affairs of the city and are consistent with this law. It shall
11 appoint the officers, agents and employees it deems necessary and proper and fix their
12 compensation. The board of education may:

13 (1) Make, amend and repeal rules and bylaws for its meetings and proceedings, for the
14 government, regulation and management of the public schools and school property in the city, for
15 the transaction of its business, and the examination, qualification and employment of teachers,
16 which rules and bylaws are binding on the board of education and all parties dealing with it until
17 formally repealed;

18 (2) Fix the time of its meetings;

19 (3) Provide for special and standing committees;

20 (4) Levy taxes authorized by law for school purposes;

21 (5) Invest the funds of the district;

22 (6) Purchase and hold all property, real and personal, deemed by it necessary for the
23 purposes of public education;

24 (7) Build and construct improvements for such purposes, and sell the same;

25 (8) Provide for the gratuitous transportation of pupils to and from schools in cases where by
26 reason of special circumstances pupils are required to attend schools at unusual distances from their
27 residences;

28 (9) Contract with nonprofit corporations to provide for the operation of schools; and

29 (10) Establish school site councils to facilitate site-based school management and to
30 improve the needs of the local geographic attendance region of the school.

31 2. A superintendent of the district in the city shall not be terminated unless a minimum of
32 two-thirds of the governing body of the district vote to terminate the superintendent.

33 3. Except as otherwise provided in this subsection, the powers granted in subsection 1 of
34 this section shall be vested, in the manner provided in section 162.1100, in the special
35 administrative board of the transitional school district containing the city not within a county if the

Action Taken _____ Date _____

1 school district loses its accreditation from the state board of education. Thereafter, such powers
2 shall immediately revert to the board of directors of the school district for any period of time for
3 which no transitional school district containing the city not within a county is in existence. The
4 board of directors of the school district shall, at all times, retain auditing and public reporting
5 powers.

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

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

25 (2) In the event that the state board of education shall declare the school district of a city not
26 within a county to be unaccredited, the member of the governing board of the transitional district
27 appointed by the governing body of the district as provided in subdivision (1) of this subsection
28 shall, within ninety days, be replaced by a chief executive officer nominated by the state board of
29 education and appointed by the governor with the advice and consent of the senate. The chief
30 executive officer need not be a resident of the district but shall be a person of recognized
31 administrative ability, shall be paid in whole or in part with funds from the district, and shall have
32 all other powers and duties of any other general superintendent of schools, including appointment of
33 staff. The chief executive officer shall serve for a term of three years or until his or her successor is
34 appointed or until the transitional district is dissolved or terminated. His or her salary shall be set
35 by the state board of education.

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

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

- 1 (1) Creating an academic accountability plan, taking corrective action in underperforming
- 2 schools, and seeking relief from state-mandated programs;
- 3 (2) Exploration of alternative forms of governance for the district;
- 4 (3) Authority to contract with nonprofit corporations to provide for the operation of schools;
- 5 (4) Oversight of facility planning, construction, improvement, repair, maintenance and
- 6 rehabilitation;
- 7 (5) Authority to establish school site councils to facilitate site-based school management
- 8 and to improve the responsiveness of the schools to the needs of the local geographic attendance
- 9 region of the school;
- 10 (6) Authority to submit a proposal to district voters pursuant to section 162.666 regarding
- 11 establishment of neighborhood schools.
- 12 5. (1) The provisions of a final judgment as to the state of Missouri and its officials in a
- 13 school desegregation case which subjects a district in which a transitional district is located in this
- 14 state to a federal court's jurisdiction may authorize or require the governing body of a transitional
- 15 school district established under this section to establish the transitional district's operating levy for
- 16 school purposes, as defined pursuant to section 163.011, at a level not to exceed eighty-five cents
- 17 per one hundred dollars assessed valuation in the district or a sales tax equivalent amount as
- 18 determined by the department of elementary and secondary education which may be substituted for
- 19 all or part of such property tax.
- 20 (2) Any other statute to the contrary notwithstanding, no tax authorized pursuant to this
- 21 subsection shall:
- 22 (a) Be subject to any certificate of tax abatement issued after August 28, 1998, pursuant to
- 23 sections 99.700 to 99.715; and
- 24 (b) Effective January 1, 2002, be subject to any new or existing tax increment financing
- 25 adopted by a city not within a county pursuant to sections 99.800 to 99.865 except that any
- 26 redevelopment plan and redevelopment project concerning a convention headquarters hotel adopted
- 27 by ordinance by a city not within a county prior to August 28, 2003, shall be subject to such tax
- 28 increment financing.
- 29 (3) The transitional school district shall not be subject to the provisions of section 162.081,
- 30 sections 163.021 and 163.023 with respect to any requirements to maintain a minimum value of
- 31 operating levy or any consequences provided by law for failure to levy at least such minimum rate.
- 32 No operating levy or increase in the operating levy or sales tax established pursuant to this section
- 33 shall be collected for a transitional school district unless prior approval is obtained from a simple
- 34 majority of the district's voters. The board of the transitional district shall place the matter before
- 35 the voters prior to March 15, 1999.
- 36 6. (1) The special administrative board established in this section shall develop, implement,
- 37 monitor and evaluate a comprehensive school improvement plan, and such plan shall be subject to
- 38 review and approval of the state board of education. The plan shall ensure that all students meet or
- 39 exceed grade-level standards established by the state board of education pursuant to section
- 40 160.514;
- 41 (2) The special administrative board shall establish student performance standards

1 consistent with the standards established by the state board of education pursuant to section 160.514
2 for preschool through grade twelve in all skill and subject areas, subject to review and approval of
3 the state board of education for the purpose of determining whether the standards are consistent with
4 standards established by the state board of education pursuant to section 160.514;

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

8 (4) No student shall be promoted to a higher grade level unless that student has a reading
9 ability at or above one grade level below the student's grade level; except that the provisions of this
10 subsection shall not apply to students receiving special education services pursuant to sections
11 162.670 to 162.999;

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

15 7. The school improvement plan established pursuant to this section shall ensure open
16 enrollment and program access to all students in the district, and, consistent with the Missouri and
17 United States Constitutions, shall give first priority to residents of the city for admission to magnet
18 schools. The school board shall take all practicable and constitutionally permissible steps to ensure
19 that all magnet schools operate at full capacity. Students who change residence within the district
20 shall be allowed to continue to attend the school in which they were initially enrolled for the
21 remainder of their education at grade levels served by that school, and transportation shall be
22 provided by the district to allow such students to continue to attend such school of initial
23 enrollment.

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

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

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

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

34 12. The transitional school district in any city not within a county shall be dissolved on July
35 1, 2008, unless the state board determines, prior to that date, that it is necessary for the transitional
36 district to continue to accomplish the purposes for which it was created. The state board of
37 education may cause the termination of the transitional school district at any time upon a
38 determination that the transitional district has accomplished the purposes for which it was
39 established and is no longer needed. If the transitional school district is classified as fully
40 accredited, the state board of education shall terminate it and return governance to the elected board
41 of the school district containing the territory of the dissolved transitional school district within thirty

1 days. If the transitional school district is fully accredited before August 28, 2018, the state board of
2 education shall terminate it at its first meeting to occur on or after August 28, 2018. The state board
3 of education may cause the reestablishment of the transitional school district at any time upon a
4 determination that it is necessary for the transitional district to be reestablished to accomplish the
5 purposes established in this section. The state board of education shall provide notice to the
6 governor and general assembly of the termination or reestablishment of the transitional school
7 district and the termination or reestablishment shall become effective thirty days following such
8 determination. Upon dissolution of a transitional school district pursuant to this section, nothing in
9 this section shall be construed to reduce or eliminate any power or duty of any school district or
10 districts containing the territory of the dissolved transitional school district unless such transitional
11 school district is reestablished by the state board of education pursuant to this section."; and
12
13 Further amend said bill by amending the title, enacting clause, and intersectional references
14 accordingly.