

FIRST REGULAR SESSION
[PERFECTED]
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 281 & 570
100TH GENERAL ASSEMBLY

0922H.04P

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 171.033, RSMo, and to enact in lieu thereof one new section relating to alternative methods of instruction for schools.

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Section A. Section 171.033, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 171.033, to read as follows: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

2. (1) A district shall be required to make up the first six days of school lost or cancelled due to inclement weather and half the number of days lost or cancelled in excess of six days if the makeup of the days is necessary to ensure that the district's students will attend a minimum of one hundred forty-two days and a minimum of one thousand forty-four hours for the school year except as otherwise provided in this section. Schools with a four-day school week may schedule such make-up days on Fridays.

(2) Notwithstanding subdivision (1) of this subsection, in school year 2019-20 and subsequent years, a district shall be required to make up the first thirty-six hours of school lost or cancelled due to inclement weather and half the number of hours lost or cancelled in excess of thirty-six if the makeup of the hours is necessary to ensure that the district's students attend a minimum of one thousand forty-four hours for the school year, except as otherwise provided under subsections 3 and 4 of this section.

3. (1) In the 2009-10 school year and subsequent years, a school district may be exempt from the requirement to make up days of school lost or cancelled due to inclement weather in

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 the school district when the school district has made up the six days required under subsection
19 2 of this section and half the number of additional lost or cancelled days up to eight days,
20 resulting in no more than ten total make-up days required by this section.

21 (2) In school year 2019-20 and subsequent years, a school district may be exempt from
22 the requirement to make up school lost or cancelled due to inclement weather in the school
23 district when the school district has made up the thirty-six hours required under subsection 2 of
24 this section and half the number of additional lost or cancelled hours up to forty-eight, resulting
25 in no more than sixty total make-up hours required by this section.

26 4. The commissioner of education may provide, for any school district that cannot meet
27 the minimum school calendar requirement of at least one hundred seventy-four days for schools
28 with a five-day school week or one hundred forty-two days for schools with a four-day school
29 week and one thousand forty-four hours of actual pupil attendance or, in school year 2019-20 and
30 subsequent years, one thousand forty-four hours of actual pupil attendance, upon request, a
31 waiver to be excused from such requirement. This waiver shall be requested from the
32 commissioner of education and may be granted if the school was closed due to circumstances
33 beyond school district control, including inclement weather or fire.

34 **5. (1) Except as otherwise provided in this subsection, in school year 2020-21 and**
35 **subsequent years, a district shall not be required to make up any hours of school lost or**
36 **cancelled due to exceptional or emergency circumstances during a school year if the district**
37 **has an alternative methods of instruction plan approved by the department of elementary**
38 **and secondary education for such school year. Exceptional or emergency circumstances**
39 **shall include, but not be limited to, inclement weather, a utility outage, or an outbreak of**
40 **a contagious disease. The department of elementary and secondary education shall not**
41 **approve any such plan unless the district demonstrates that the plan will not negatively**
42 **impact teaching and learning in the district.**

43 **(2) If school is closed due to exceptional or emergency circumstances and the**
44 **district has an approved alternative methods of instruction plan, the district shall notify**
45 **students and parents on each day of the closure whether the alternative methods of**
46 **instruction plan is to be implemented for that day. If the plan is to be implemented on any**
47 **day of the closure, the district shall ensure that each student receives assignments for that**
48 **day in hard copy form or receives instruction through virtual learning or another method**
49 **of instruction.**

50 **(3) A district with an approved alternative methods of instruction plan shall not use**
51 **alternative methods of instruction as provided for in the plan for more than thirty-six**
52 **hours during a school year. A district that has used such alternative methods of instruction**
53 **for thirty-six hours during a school year shall be required, notwithstanding subsections 2**

54 and 3 of this section, to make up any subsequent hours of school lost or cancelled due to
55 exceptional or emergency circumstances during such school year.

56 (4) The department of elementary and secondary education shall give districts with
57 approved alternative methods of instruction plans credit for the hours in which they use
58 alternative methods of instruction by considering such hours as hours in which school was
59 actually in session.

60 (5) Any district wishing to use alternative methods of instruction under this
61 subsection shall submit an application to the department of elementary and secondary
62 education. The application shall describe:

63 (a) The manner in which the district intends to strengthen and reinforce
64 instructional content while supporting student learning outside the classroom
65 environment;

66 (b) The process the district intends to use to communicate to students and parents
67 the decision to implement alternative methods of instruction on any day of a closure;

68 (c) The manner in which the district intends to communicate the purpose and
69 expectations for a day in which alternative methods of instruction will be implemented to
70 students and parents;

71 (d) The assignments and materials to be used within the district for days in which
72 alternative methods of instruction will be implemented to effectively facilitate teaching and
73 support learning for the benefit of the students;

74 (e) The manner in which student attendance will be determined for a day in which
75 alternative methods of instruction will be implemented. The method chosen shall be linked
76 to completion of lessons and activities;

77 (f) The instructional methods, which shall include instruction through electronic
78 means and instruction through other means for students who have no access to internet
79 services or a computer;

80 (g) Instructional plans for students with individualized education programs; and

81 (h) The role and responsibility of certified personnel to be available to communicate
82 with students.

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