

FIRST REGULAR SESSION

# HOUSE BILL NO. 401

## 100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BASYE.

1016H.011

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To repeal section 171.031, RSMo, and to enact in lieu thereof one new section relating to the opening date for school terms.

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

Section A. Section 171.031, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 171.031, to read as follows:

171.031. 1. Each school board shall prepare annually a calendar for the school term, specifying the opening date, days of planned attendance, and providing a minimum term of at least one hundred seventy-four days for schools with a five-day school week or one hundred forty-two days for schools with a four-day school week, and one thousand forty-four hours of actual pupil attendance. In school year 2019-20 and subsequent years, one thousand forty-four hours of actual pupil attendance shall be required for the school term with no minimum number of school days. In addition, such calendar shall include six make-up days for possible loss of attendance due to inclement weather as defined in subsection 1 of section 171.033. In school year 2019-20 and subsequent years, such calendar shall include thirty-six make-up hours for possible loss of attendance due to inclement weather, as defined in subsection 1 of section 171.033, with no minimum number of make-up days.

2. Each local school district may set its opening date each year, which date shall be no earlier than ten calendar days prior to the first Monday in September. No public school district shall select an earlier start date unless, **for calendars for school years before school year 2020-21**, the district follows the procedure set forth in subsection 3 of this section. **The procedure set forth in subsection 3 of this section shall be unavailable to school districts in preparing their calendars for school year 2020-21 and for subsequent years.**

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           **3. For calendars for school years before school year 2020-21**, a district may set an  
19 opening date that is more than ten calendar days prior to the first Monday in September only if  
20 the local school board first gives public notice of a public meeting to discuss the proposal of  
21 opening school on a date more than ten days prior to the first Monday in September, and the local  
22 school board holds said meeting and, at the same public meeting, a majority of the board votes  
23 to allow an earlier opening date. If all of the previous conditions are met, the district may set its  
24 opening date more than ten calendar days prior to the first Monday in September. The condition  
25 provided in this subsection must be satisfied by the local school board each year that the board  
26 proposes an opening date more than ten days before the first Monday in September.

27           4. If any local district violates the provisions of this section, the department of  
28 elementary and secondary education shall withhold an amount equal to one quarter of the state  
29 funding the district generated under section 163.031 for each date the district was in violation  
30 of this section.

31           5. The provisions of subsections 2 to 4 of this section shall not apply to school districts  
32 in which school is in session for twelve months of each calendar year.

33           6. The state board of education may grant an exemption from this section to a school  
34 district that demonstrates highly unusual and extenuating circumstances justifying exemption  
35 from the provisions of subsections 2 to 4 of this section. Any exemption granted by the state  
36 board of education shall be valid for one academic year only.

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