

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 942
101ST GENERAL ASSEMBLY

1932H.02C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 160.518, 160.545, 161.092, and 163.023, RSMo, and to enact in lieu thereof five new sections relating to the accreditation of public schools and school districts.

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

Section A. Sections 160.518, 160.545, 161.092, and 163.023, RSMo, are repealed and
2 five new sections enacted in lieu thereof, to be known as sections 160.518, 160.545, 161.092,
3 162.084, and 163.023, to read as follows:

160.518. 1. Consistent with the provisions contained in section 160.526, the state board
2 of education shall develop, modify, and revise, as necessary, a statewide assessment system ~~that~~
3 ~~provides maximum flexibility~~ for local school districts to determine the degree to which
4 students in the public schools of the state are proficient in the knowledge, skills, and
5 competencies adopted by such board pursuant to section 160.514. The statewide assessment
6 system shall assess problem solving, analytical ability, evaluation, creativity, and application
7 ability in the different content areas and shall be performance-based to identify what students
8 know, as well as what they are able to do, and shall enable teachers to evaluate actual academic
9 performance. The statewide assessment system shall neither promote nor prohibit rote
10 memorization and shall not include existing versions of tests approved for use pursuant to the
11 provisions of section 160.257, nor enhanced versions of such tests. After the state board of
12 education adopts and implements academic performance standards as required under section
13 161.855, the state board of education shall develop and adopt a standardized assessment
14 instrument under this section based on the academic performance standards adopted under
15 section 161.855. The statewide assessment system shall measure, where appropriate by grade
16 level, a student's knowledge of academic subjects including, but not limited to, reading skills,

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.

17 writing skills, mathematics skills, world and American history, forms of government, geography
18 and science.

19 2. ~~[The statewide assessment system shall only permit the academic performance of~~
20 ~~students in each school in the state to be tracked against prior academic performance in the same~~
21 ~~school.~~

22 ~~3.]~~ The state board of education shall suggest, but not mandate, criteria for a school to
23 demonstrate that its students learn the knowledge, skills and competencies at exemplary levels
24 worthy of imitation by students in other schools in the state and nation. Exemplary levels shall
25 be measured by the statewide assessment system developed pursuant to subsection 1 of this
26 section, or until said statewide assessment system is available, by indicators approved for such
27 use by the state board of education. The provisions of other law to the contrary notwithstanding,
28 the commissioner of education may, upon request of the school district, present a plan for the
29 waiver of rules and regulations to any such school, to be known as "Outstanding Schools
30 Waivers", consistent with the provisions of subsection ~~[4]~~ **3** of this section.

31 ~~[4.]~~ **3.** For any school that meets the criteria established by the state board of education
32 for three successive school years pursuant to the provisions of subsection ~~[3]~~ **2** of this section,
33 by August first following the third such school year, the commissioner of education shall present
34 a plan to the superintendent of the school district in which such school is located for the waiver
35 of rules and regulations to promote flexibility in the operations of the school and to enhance and
36 encourage efficiency in the delivery of instructional services. The provisions of other law to the
37 contrary notwithstanding, the plan presented to the superintendent shall provide a summary
38 waiver, with no conditions, for the pupil testing requirements pursuant to section 160.257, in the
39 school. Further, the provisions of other law to the contrary notwithstanding, the plan shall detail
40 a means for the waiver of requirements otherwise imposed on the school related to the authority
41 of the state board of education to classify school districts pursuant to subdivision (9) of
42 **subsection 2** of section 161.092 and such other rules and regulations as determined by the
43 commissioner of education, excepting such waivers shall be confined to the school and not other
44 schools in the district unless such other schools meet the criteria established by the state board
45 of education consistent with subsection ~~[3]~~ **2** of this section and the waivers shall not include the
46 requirements contained in this section and section 160.514. Any waiver provided to any school
47 as outlined in this subsection shall be void on June thirtieth of any school year in which the
48 school fails to meet the criteria established by the state board of education consistent with
49 subsection ~~[3]~~ **2** of this section.

50 ~~[5.]~~ **4.** The score on any assessment test developed pursuant to this section or this chapter
51 of any student for whom English is a second language shall not be counted until such time as

52 such student has been educated for three full school years in a school in this state, or in any other
53 state, in which English is the primary language.

54 ~~[6.]~~ **5.** The state board of education shall identify or, if necessary, establish one or more
55 developmentally appropriate alternate assessments for students who receive special educational
56 services, as that term is defined pursuant to section 162.675. In the development of such
57 alternate assessments, the state board shall establish an advisory panel consisting of a majority
58 of active special education teachers residing in Missouri and other education professionals as
59 appropriate to research available assessment options. The advisory panel shall attempt to
60 identify preexisting developmentally appropriate alternate assessments but shall, if necessary,
61 develop alternate assessments and recommend one or more alternate assessments for adoption
62 by the state board. The state board shall consider the recommendations of the advisory council
63 in establishing such alternate assessment or assessments. Any student who receives special
64 educational services, as that term is defined pursuant to section 162.675, shall be assessed by an
65 alternate assessment established pursuant to this subsection upon a determination by the student's
66 individualized education program team that such alternate assessment is more appropriate to
67 assess the student's knowledge, skills and competencies than the assessment developed pursuant
68 to subsection 1 of this section. The alternate assessment shall evaluate the student's independent
69 living skills, which include how effectively the student addresses common life demands and how
70 well the student meets standards for personal independence expected for someone in the student's
71 age group, sociocultural background, and community setting.

72 ~~[7.]~~ **6.** The state board of education shall also develop recommendations regarding
73 alternate assessments for any military dependent who relocates to Missouri after the
74 commencement of a school term, in order to accommodate such student while ensuring that ~~[he~~
75 ~~or she]~~ **such student** is proficient in the knowledge, skills, and competencies adopted under
76 section 160.514.

160.545. 1. There is hereby established within the department of elementary and
2 secondary education the "A+ Schools Program" to be administered by the commissioner of
3 education. The program shall consist of grant awards made to public secondary schools that
4 demonstrate a commitment to ensure that:

- 5 (1) All students be graduated from school;
- 6 (2) All students complete a selection of high school studies that is challenging and for
7 which there are identified learning expectations; and
- 8 (3) All students:
 - 9 (a) Earn credits toward any type of college degree while in high school; or
 - 10 (b) Proceed from high school graduation to a college or postsecondary vocational or
11 technical school or high-wage job with work place skill development opportunities.

12 2. The state board of education shall promulgate rules and regulations for the approval
13 of grants made under the program to schools that:

14 (1) Establish measurable districtwide performance standards for the goals of the program
15 outlined in subsection 1 of this section; and

16 (2) Specify the knowledge, skills and competencies, in measurable terms, that students
17 must demonstrate to successfully complete any individual course offered by the school, and any
18 course of studies [~~which~~] **that** will qualify a student for graduation from the school; and

19 (3) Do not offer a general track of courses that, upon completion, can lead to a high
20 school diploma; and

21 (4) Require rigorous coursework with standards of competency in basic academic
22 subjects for students pursuing vocational and technical education as prescribed by rule and
23 regulation of the state board of education; and

24 (5) Have a partnership plan developed in cooperation and with the advice of local
25 business persons, labor leaders, parents, and representatives of college and postsecondary
26 vocational and technical school representatives, with the plan then approved by the local board
27 of education. The plan shall specify a mechanism to receive information on an annual basis from
28 those who developed the plan in addition to senior citizens, community leaders, and teachers to
29 update the plan in order to best meet the goals of the program as provided in subsection 1 of this
30 section. Further, the plan shall detail the procedures used in the school to identify students that
31 may drop out of school and the intervention services to be used to meet the needs of such
32 students. The plan shall outline counseling and mentoring services provided to students who will
33 enter the work force upon graduation from high school, address apprenticeship and intern
34 programs, and shall contain procedures for the recruitment of volunteers from the community
35 of the school to serve in schools receiving program grants.

36 3. Any nonpublic school in this state may apply to the state board of education for
37 certification that it meets the requirements of this section subject to the same criteria as public
38 high schools. Every nonpublic school that applies and has met the requirements of this section
39 shall have its students eligible for reimbursement of postsecondary education under subsection
40 8 of this section on an equal basis to students who graduate from public schools that meet the
41 requirements of this section. Any nonpublic school that applies shall not be eligible for any
42 grants under this section. Students of certified nonpublic schools shall be eligible for
43 reimbursement of postsecondary education under subsection 8 of this section so long as they
44 meet the other requirements of such subsection. For purposes of subdivision (5) of subsection
45 2 of this section, the nonpublic school shall be included in the partnership plan developed by the
46 public school district in which the nonpublic school is located. For purposes of subdivision (1)
47 of subsection 2 of this section, the nonpublic school shall establish measurable performance

48 standards for the goals of the program for every school and grade level over which the nonpublic
49 school maintains control.

50 4. A school district may participate in the program irrespective of its accreditation
51 classification by the state board of education, provided it meets all other requirements.

52 5. By rule and regulation, the state board of education may determine a local school
53 district variable fund match requirement in order for a school or schools in the district to receive
54 a grant under the program. However, no school in any district shall receive a grant under the
55 program unless the district designates a salaried employee to serve as the program coordinator,
56 with the district assuming a minimum of one-half the cost of the salary and other benefits
57 provided to the coordinator. Further, no school in any district shall receive a grant under the
58 program unless the district makes available facilities and services for adult literacy training as
59 specified by rule of the state board of education.

60 6. For any school that meets the requirements for the approval of the grants authorized
61 by this section and specified in subsection 2 of this section for three successive school years, by
62 August first following the third such school year, the commissioner of education shall present
63 a plan to the superintendent of the school district in which such school is located for the waiver
64 of rules and regulations to promote flexibility in the operations of the school and to enhance and
65 encourage efficiency in the delivery of instructional services in the school. The provisions of
66 other law to the contrary notwithstanding, the plan presented to the superintendent shall provide
67 a summary waiver, with no conditions, for the pupil testing requirements pursuant to section
68 160.257 in the school. Further, the provisions of other law to the contrary notwithstanding, the
69 plan shall detail a means for the waiver of requirements otherwise imposed on the school related
70 to the authority of the state board of education to classify school districts pursuant to subdivision
71 (9) of **subsection 2 of** section 161.092 and such other rules and regulations as determined by the
72 commissioner of education, except such waivers shall be confined to the school and not other
73 schools in the school district unless such other schools meet the requirements of this subsection.
74 However, any waiver provided to any school as outlined in this subsection shall be void on June
75 thirtieth of any school year in which the school fails to meet the requirements for the approval
76 of the grants authorized by this section as specified in subsection 2 of this section.

77 7. For any school year, grants authorized by subsections 1, 2, and 5 of this section shall
78 be funded with the amount appropriated for this program, less those funds necessary to reimburse
79 eligible students pursuant to subsection 8 or 9 of this section.

80 8. The department of higher education and workforce development shall, by rule,
81 establish a procedure for the reimbursement of the cost of tuition, books and fees to any public
82 community college or vocational or technical school or within the limits established in

83 subsection 11 of this section for any two-year private vocational or technical school for any
84 student:

85 (1) Who has attended a high school in the state for at least two years that meets the
86 requirements of subsection 2 of this section and who has graduated from such a school; except
87 that, students who are active duty military dependents, and students who are dependents of
88 retired military who relocate to Missouri within one year of the date of the parent's retirement
89 from active duty who meet all other requirements of this subsection and are attending a school
90 that meets the requirements of subsection 2 of this section shall be exempt from the two-year
91 attendance requirement of this subdivision; and

92 (2) Who has made a good faith effort to first secure all available federal sources of
93 funding that could be applied to the reimbursement described in this subsection; and

94 (3) Who has earned a minimal grade average while in high school or through the
95 semester immediately before taking the course for which reimbursement is sought as determined
96 by rule of the department of higher education and workforce development, and other
97 requirements for the reimbursement authorized by this subsection as determined by rule and
98 regulation of the department; and

99 (4) Who is a citizen or permanent resident of the United States.

100 9. The department of higher education and workforce development shall, by rule,
101 establish a procedure for the reimbursement of the cost of tuition, and fees for any dual-credit
102 or dual-enrollment course offered to a student in high school in association with an institution
103 of higher education or vocational or technical school, subject to the requirements of subsection
104 11 of this section, for any student who meets the requirements established in subsection 8 of this
105 section immediately before taking the course for which reimbursement is sought.

106 10. The commissioner of education shall develop a procedure for evaluating the
107 effectiveness of the program described in this section. Such evaluation shall be conducted
108 annually with the results of the evaluation provided to the governor, speaker of the house, and
109 president pro tempore of the senate.

110 11. For a two-year private vocational or technical school to obtain reimbursements under
111 subsection 8 or 9 of this section, the following requirements shall be satisfied:

112 (1) Such two-year private vocational or technical school shall be a member of the North
113 Central Association and be accredited by the Higher Learning Commission as of July 1, 2008,
114 and maintain such accreditation;

115 (2) Such two-year private vocational or technical school shall be designated as a
116 501(c)(3) nonprofit organization under the Internal Revenue Code of 1986, as amended;

117 (3) No two-year private vocational or technical school shall receive tuition
118 reimbursements in excess of the tuition rate charged by a public community college for course

119 work offered by the private vocational or technical school within the service area of such college;
120 and

121 (4) The reimbursements provided to any two-year private vocational or technical school
122 shall not violate the provisions of Article IX, Section 8, or Article I, Section 7, of the Missouri
123 Constitution or the first amendment of the United States Constitution.

124 12. The department of higher education and workforce development shall distribute
125 reimbursements in the following manner:

126 (1) To community college or vocational or technical school students;

127 (2) After all students from subdivision (1) of this subsection have been reimbursed, to
128 any dual-credit or dual-enrollment student on the basis of financial need.

161.092. 1. **As used in this section, "attendance center" means any individual
2 public elementary or secondary school or charter school.**

3 2. The state board of education shall:

4 (1) Adopt rules governing its own proceedings and formulate policies for the guidance
5 of the commissioner of education and the department of elementary and secondary education;

6 (2) Carry out the educational policies of the state relating to ~~[public schools]~~ **attendance
7 centers and school districts** that are provided by law and supervise instruction in the ~~[public
8 schools]~~ **attendance centers and school districts**;

9 (3) Direct the investment of all moneys received by the state to be applied to the capital
10 of any permanent fund established for the support of public education within the jurisdiction of
11 the department of elementary and secondary education and see that the funds are applied to the
12 branches of educational interest of the state that by grant, gift, devise or law they were originally
13 intended, and if necessary institute suit for and collect the funds and return them to their
14 legitimate channels;

15 (4) Cause to be assembled information which will reflect continuously the condition and
16 management of the ~~[public schools]~~ **attendance centers and school districts** of the state;

17 (5) Require of county clerks or treasurers, boards of education or other ~~[school]~~
18 **attendance center or school district** officers, recorders and treasurers of cities, towns and
19 villages, copies of all records required to be made by them and all other information in relation
20 to the funds and condition of ~~[schools]~~ **attendance centers and school districts** and the
21 management thereof that is deemed necessary;

22 (6) Provide blanks suitable for use by officials in reporting the information required by
23 the board;

24 (7) When conditions demand, cause the laws relating to ~~[schools]~~ **attendance centers
25 and school districts** to be published in a separate volume, with pertinent notes and comments,
26 for the guidance of those charged with the execution of the laws;

27 (8) Grant, without fee except as provided in section 168.021, certificates of qualification
28 and licenses to teach in any of the ~~[public schools]~~ **attendance centers or school districts** of the
29 state, establish requirements therefor, formulate regulations governing the issuance thereof, and
30 cause the certificates to be revoked for the reasons and in the manner provided in section
31 168.071;

32 (9) Classify the ~~[public schools]~~ **attendance centers and school districts** of the state,
33 subject to limitations provided by law and subdivision (14) of this ~~[section]~~ **subsection**, establish
34 requirements for the ~~[schools]~~ **attendance centers** of each class, and formulate rules governing
35 the inspection and accreditation of ~~[schools]~~ **attendance centers and school districts**
36 preparatory to classification, with such requirements taking effect not less than ~~[two years]~~ **one**
37 **year** from the date of adoption of the proposed rule by the state board of education, provided that
38 this condition shall not apply to any requirement for which a time line for adoption is mandated
39 in either federal or state law. Such rules shall include a process to allow any **attendance center**
40 **or school** district that is accredited without provision that does not meet the state board's
41 promulgated criteria for a classification designation of accredited with distinction to propose
42 alternative criteria, **subject to the limitations provided in subdivision (14) of this subsection**,
43 to the state board to be classified as accredited with distinction;

44 (10) Make an annual report on or before the first Wednesday after the first day of January
45 to the general assembly or, when it is not in session, to the governor for publication and
46 transmission to the general assembly. The report shall be for the last preceding school year, and
47 shall include:

48 (a) A statement of the number of ~~[public schools]~~ **attendance centers** in the state~~]~~ ;
49 the number of pupils attending the ~~[schools,]~~ **attendance centers**; their sex, **race, and ethnicity**;
50 and the branches taught;

51 (b) A statement of the number of teachers employed~~]~~ ; their sex, **race, and ethnicity**;
52 their professional training~~]~~ ; and their average salary;

53 (c) A statement of the receipts and disbursements of ~~[public school]~~ **attendance center**
54 **and school district** funds of every description, their sources, and the purposes for which they
55 were disbursed;

56 (d) **Research-based and cited** suggestions for the improvement of ~~[public schools]~~
57 **attendance centers and school districts**; and

58 (e) Any other information relative to the educational interests of the state that the law
59 requires or the board deems important;

60 (11) Make an annual report to the general assembly and the governor concerning
61 coordination with other agencies and departments of government that support family literacy

62 programs and other services ~~[which]~~ **that** influence educational attainment of children of all
63 ages;

64 (12) Require from the chief officer of each division of the department of elementary and
65 secondary education, on or before the thirty-first day of August of each year, reports containing
66 information the board deems important and desires for publication;

67 (13) Cause fifty copies of its annual report to be reserved for the use of each division of
68 the state department of elementary and secondary education, and ten copies for preservation in
69 the state library;

70 (14) Promulgate rules under which the board shall classify the ~~[public schools]~~
71 **attendance centers and school districts** of the state; provided that:

72 (a) **For purposes of accreditation, such classifications shall include only the**
73 **categories of unaccredited, provisionally accredited, accredited, and accredited with**
74 **distinction;**

75 (b) **At least seventy percent of any rubric or scoring methodology used to make an**
76 **accreditation determination shall be based on academic performance as measured by**
77 **achievement on state standardized tests and measures of student growth;**

78 (c) **Any attendance center or school district performing in the bottom ten percent**
79 **of the state distribution of accreditation scores shall be classified as unaccredited;**

80 (d) **Any attendance center or school district performing in the bottom twenty-five**
81 **percent of the state distribution of accreditation scores shall be classified as provisionally**
82 **accredited or unaccredited;**

83 (e) **Only attendance centers or school districts performing in the top ten percent of**
84 **the total accreditation score shall be classified as accredited with distinction; and**

85 (f) The appropriate scoring guides, instruments, and procedures used in determining the
86 accreditation status of ~~[a]~~ **an attendance center or school** district shall be subject to a public
87 meeting upon notice in a newspaper of general circulation in each of the three most populous
88 cities in the state and also a newspaper that is a certified minority business enterprise or woman-
89 owned business enterprise in each of the two most populous cities in the state, and notice to each
90 **attendance center and each school** district board of education, each superintendent of a school
91 district, and to the speaker of the house of representatives, the president pro tem of the senate,
92 and the members of the joint committee on education, at least fourteen days in advance of the
93 meeting, which shall be conducted by the department of elementary and secondary education not
94 less than ninety days prior to their application in accreditation, with all comments received to be
95 reported to the state board of education;

96 (15) Have other powers and duties prescribed by law.

97 **3. Rules promulgated under this section shall address the following:**

98 **(1) Rules relating to academic achievement and academic performance under**
99 **paragraph (b) of subdivision (14) of subsection 2 of this section shall require that:**

100 **(a) Academic growth shall account for no less than forty percent of the total**
101 **accreditation score;**

102 **(b) Points shall be awarded for statistically significant positive growth only if such**
103 **growth has a normal curve equivalent of greater than fifty; and**

104 **(c) The total academic performance shall be computed by dividing the points**
105 **gained for academic achievement and the points gained for academic growth by the total**
106 **possible points in each category and adding the two quotients;**

107 **(2) Rules related to local educational agencies under paragraph (c) of subdivision**
108 **(14) of subsection 2 of this section shall require that:**

109 **(a) For every unaccredited attendance center, the local education agency in**
110 **partnership with independent school improvement experts shall produce a research-based**
111 **improvement plan to achieve at least provisional accreditation in collaboration with**
112 **parents and teachers. Such plan shall be presented to the school district board or the**
113 **governing board no later than sixty days after the designation is received. Plans shall**
114 **contain three-year goals for math and reading proficiency and three-year goals for growth**
115 **by subgroup and by grade level, and shall be approved by the school district board or**
116 **governing board;**

117 **(b) Local education agencies shall be encouraged to place unaccredited schools into**
118 **an innovation zone, which shall be governed by an organization exempt from taxation**
119 **under 26 U.S.C. Section 501(c)(3) with a board of directors and a staff, that authorizes an**
120 **attendance center or several attendance centers that are in a public school district to be**
121 **governed by the organization, independently of the public school board for the district, and**
122 **to partner with nonprofit organizations with expertise in school redesign and**
123 **improvement. Any attendance center that is a charter school and that is unaccredited for**
124 **four consecutive years shall be reconstituted in partnership with an accredited charter**
125 **organization or be closed; and**

126 **(c) Any local education agency with fifty percent or more of its attendance centers**
127 **classified as unaccredited shall be classified only as "unaccredited";**

128 **(3) Rules related to local educational agencies under paragraph (d) of subdivision**
129 **(14) of subsection 2 of this section shall require that:**

130 **(a) For every provisionally accredited attendance center, the local education agency**
131 **in partnership with independent school improvement experts shall produce a research-**
132 **based improvement plan to achieve accreditation in collaboration with parents and**
133 **teachers. Such plan shall be presented to the school district board or governing board no**

134 later than sixty days after the designation is received. Plans shall contain three-year goals
135 for math and reading proficiency and three-year goals for growth by subgroup and grade
136 level, and shall be approved by the school district board or governing board;

137 (b) Local education agencies shall be encouraged to place provisionally accredited
138 schools into an innovation zone, which shall be governed by an organization exempt from
139 taxation under 26 U.S.C. Section 501(c)(3) with a board of directors and a staff, that
140 authorizes an attendance center or several attendance centers that are in a public school
141 district to be governed by the organization, independently of the public school board for
142 the district, and to partner with nonprofit organizations with expertise in school redesign
143 and improvement;

144 (c) Local education agencies provide students attending any attendance center that
145 has been provisionally accredited for five consecutive years the option to transfer to an
146 accredited attendance center within the district; and

147 (d) Any local education agency with fifty percent or more of its attendance centers
148 classified as provisionally accredited or unaccredited shall be classified only as
149 provisionally accredited or unaccredited. Any local education agency with twenty-five
150 percent or more of its attendance centers classified as unaccredited shall be classified only
151 as provisionally accredited or unaccredited; and

152 (4) Rules relating to attendance centers or school districts classified as accredited
153 with distinction under paragraph (e) of subdivision (14) of subsection 2 of this section shall
154 require the department of elementary and secondary education to recognize and publish,
155 on its own or in partnership, the top ten percent of attendance centers as measured by
156 statistically significant academic growth in both mathematics and reading as "fast
157 improving schools" and to produce an annual report highlighting the lessons from these
158 schools so that others may learn about the practices that are driving learning growth.

162.084. If any attendance center, individual public elementary or secondary
2 school, charter school, or school district is classified or reclassified as provisionally
3 accredited or unaccredited, such attendance center, school, or district shall mail a letter to
4 the parents and guardians of each student in such attendance center, school, or district
5 informing such parents and guardians:

6 (1) That the attendance center, school, or district is classified as provisionally
7 accredited or unaccredited;

8 (2) What options are available to such students as a result of the classification or
9 reclassification; and

10 **(3) What plans the attendance center, school, or district has for school**
11 **improvement including, but not limited to, academic proficiency and growth goals in**
12 **reading and math for the next three years.**

163.023. 1. Commencing September 1, 1997, a school district that has an operating levy
2 for school purposes as defined in section 163.011, of less than the minimum value required by
3 section 163.021, shall be classified as unaccredited by the state board of education and shall be
4 deemed to be an unclassified school district for all purposes under force of law, pursuant to the
5 authority of the state board of education to classify school districts pursuant to section 161.092,
6 except that no school district shall be classified as unaccredited or deemed to be an unclassified
7 school district pursuant to this section if such district is ineligible to receive state aid under
8 section 163.031, exclusive of categorical add-ons, because the district's local effort is greater than
9 its weighted average daily attendance multiplied by the state adequacy target multiplied by the
10 dollar value modifier. No school district, except a district ~~[which]~~ **that** is ineligible to receive
11 state aid under section 163.031, exclusive of categorical add-ons, because the district's local
12 effort is greater than its weighted average daily attendance multiplied by the state adequacy target
13 multiplied by the dollar value modifier, may be classified or reclassified as accredited until such
14 district has an operating levy for school purposes ~~[which]~~ **that** is equal to or greater than the
15 minimum value required by section 163.021. Beginning July 1, 1998, the state board of
16 education shall consider the results for a school district from the statewide assessment system
17 developed pursuant to the provisions of section 160.518 when classifying a school district as
18 authorized by subdivision (9) of **subsection 2 of** section 161.092. Further, the state board of
19 education shall consider the condition and adequacy of facilities of a school district when
20 determining such classification.

21 2. For any school district classified unaccredited for any school year, the state board of
22 education shall conduct procedures to classify said school district for the first school year
23 following.

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