

House _____ Amendment NO. _____

Offered By _____

1 AMEND Senate Substitute for Senate Bill No. 199, Page 1, Section A, Line 4, by inserting after all
2 of said section and line the following:

3
4 "160.527. 1. The one-half unit of credit in health education required by the state board of
5 education shall be renamed "Health and Family Education" for the 2024-25 school year and all
6 subsequent school years.

7 2. The state board of education shall convene a work group to develop and recommend
8 academic performance standards relating to the one-half unit of credit of health and family
9 education required by the board. The work group shall include, but not be limited to, educators
10 providing instruction in health education and family and consumer science in grades nine to twelve,
11 representatives from the department of elementary and secondary education, and nonprofit
12 organizations that focus on public health, parenting, and social services. The work group shall
13 develop written curriculum frameworks relating to health and family education with an emphasis on
14 behavioral health relating to the causes of morbidity and mortality of youth, chronic disease
15 management, and parenting skills associated with optimal family health over a lifetime that may be
16 used by school districts.

17 3. The state board of education shall adopt and implement academic performance standards
18 relating to health and family education for the 2024-25 school year and all subsequent school years.

19 4. The requirements of section 160.514 shall not apply to this section."; and
20

21 Further amend said bill, Page 2, Section 160.2705, Line 38, by deleting the word "may" and
22 inserting in lieu thereof the word "shall"; and
23

24 Further amend said bill, Page 6, Section 160.2725, Line 14, by inserting after all of said section and
25 line the following:
26

27 "161.243. 1. As used in this section, the following terms mean:

28 (1) "Early childhood education services", programming or services intended to effect
29 positive developmental changes in children prior to their entry into kindergarten;

Action Taken _____ Date _____

1 (2) "Private entity", an entity that meets the definition of a licensed child care provider as
 2 defined in section 210.201, license exempt as defined in section 210.211, or that is unlicensed but is
 3 contracted with the department of elementary and secondary education.

4 2. Subject to appropriation, the department of elementary and secondary education shall
 5 provide grants directly to private entities for the provision of early childhood education services.
 6 The standards prescribed in section 161.213 shall be applicable to all private entities that receive
 7 these grant funds.

8 161.670. 1. Notwithstanding any other law, prior to July 1, 2007, the state board of
 9 education shall establish the "Missouri Course Access and Virtual School Program" to serve school-
 10 age students residing in the state. The Missouri course access and virtual school program shall offer
 11 nonclassroom-based instruction in a virtual setting using technology, intranet, or internet methods of
 12 communication. Any student under the age of twenty-one in grades kindergarten through twelve
 13 who resides in this state shall be eligible to enroll in the Missouri course access and virtual school
 14 program pursuant to subsection 3 of this section.

15 2. (1) For purposes of calculation and distribution of state school aid, students enrolled in
 16 the Missouri course access and virtual school program shall be included in the student enrollment of
 17 the school district in which the student is enrolled under the relevant provisions of subsection 3 of
 18 this section~~[-; provided that any such]~~ for such enrollment. Student attendance for full-time virtual
 19 program students shall only be included in any district pupil attendance calculation under chapter
 20 163 and any charter school pupil attendance calculation under section 160.415, using current-year
 21 pupil attendance for such full-time virtual program pupils~~[-; and further provided that]~~. The average
 22 daily attendance of a full-time virtual student who is engaged in required instructional activities
 23 under subsection 4 of this section shall be calculated as if the pupil's attendance percentage equaled
 24 the host district's or charter school's prior-year average attendance percentage, and the provisions of
 25 section 162.1250 shall not apply to such funding calculation. In the case of a host school district
 26 enrolling one or more full-time virtual school students, such enrolling district shall, as part of its
 27 monthly state allocation, receive no less under the state aid calculation for such students than an
 28 amount equal to the state adequacy target multiplied by the weighted average daily attendance of
 29 such full-time students. Students residing in Missouri and enrolled in a full-time virtual school
 30 program operated by a public institution of higher education in this state shall be counted for a state
 31 aid calculation by the department, and the department shall pay, from funds dedicated to state school
 32 aid payments made under section 163.031, to such institution an amount equal to the state adequacy
 33 target multiplied by the weighted average daily attendance of such full-time students.

34 (2) The Missouri course access and virtual school program shall report to the district of
 35 residence the following information about each student served by the Missouri course access and
 36 virtual school program: name, address, eligibility for free or reduced-price lunch, limited English
 37 proficiency status, special education needs, and the number of courses in which the student is
 38 enrolled. The Missouri course access and virtual school program shall promptly notify the resident
 39 district when a student discontinues enrollment. A "full-time equivalent student" is a student who is

1 enrolled in the instructional equivalent of six credits per regular term. Each Missouri course access
2 and virtual school program course shall count as one class and shall generate that portion of a full-
3 time equivalent that a comparable course offered by the school district would generate.

4 (3) Pursuant to an education services plan and collaborative agreement under subsection 3
5 of this section, full-time equivalent students may be allowed to use a physical location of the
6 resident school district for all or some portion of ongoing instructional activity, and the enrollment
7 plan shall provide for reimbursement of costs of the resident district for providing such access
8 pursuant to rules promulgated under this section by the department.

9 (4) In no case shall more than the full-time equivalency of a regular term of attendance for a
10 single student be used to claim state aid. Full-time equivalent student credit completed shall be
11 reported to the department of elementary and secondary education in the manner prescribed by the
12 department. Nothing in this section shall prohibit students from enrolling in additional courses
13 under a separate agreement that includes terms for paying tuition or course fees.

14 (5) A full-time virtual school program serving full-time equivalent students shall be
15 considered an attendance center in the host school district and shall participate in the statewide
16 assessment system as defined in section 160.518. The academic performance of students enrolled in
17 a full-time virtual school program shall be assigned to the designated attendance center of the full-
18 time virtual school program and shall be considered in like manner to other attendance centers. The
19 academic performance of any student who disenrolls from a full-time virtual school program and
20 enrolls in a public school or charter school shall not be used in determining the annual performance
21 report score of the attendance center or school district in which the student enrolls for twelve
22 months from the date of enrollment.

23 (6) For the purposes of this section, a public institution of higher education operating a full-
24 time virtual school program shall be subject to all requirements applicable to a host school district
25 with respect to its full-time equivalent students.

26 3. (1) A student who resides in this state may enroll in Missouri course access and virtual
27 school program courses of his or her choice as a part of the student's annual course load each school
28 year, with any costs associated with such course or courses to be paid by the school district or
29 charter school if:

30 (a) The student is enrolled full-time in a public school, including any charter school; and

31 (b) Prior to enrolling in any Missouri course access and virtual school program course, a
32 student has received approval from his or her school district or charter school through the procedure
33 described under subdivision (2) of this subsection.

34 (2) Each school district or charter school shall adopt a policy that delineates the process by
35 which a student may enroll in courses provided by the Missouri course access and virtual school
36 program that is substantially similar to the typical process by which a district student would enroll in
37 courses offered by the school district and a charter school student would enroll in courses offered by
38 the charter school. The policy may include consultation with the school's counselor and may
39 include parental notification or authorization. The policy shall ensure that available opportunities

for in-person instruction are considered prior to moving a student to virtual courses. The policy shall allow for continuous enrollment throughout the school year. If the school district or charter school disapproves a student's request to enroll in a course or courses provided by the Missouri course access and virtual school program, the reason shall be provided in writing and it shall be for good cause. Good cause justification to disapprove a student's request for enrollment in a course shall be a determination that doing so is not in the best educational interest of the student, and shall be consistent with the determination that would be made for such course request under the process by which a district student would enroll in a similar course offered by the school district and a charter school student would enroll in a similar course offered by the charter school, except that the determination may consider the suitability of virtual courses for the student based on prior participation in virtual courses by the student. Appeals of any course denials under this subsection shall be considered under a policy that is substantially similar to the typical process by which appeals would be considered for a student seeking to enroll in courses offered by the school district and a charter school student seeking to enroll in courses offered by the charter school.

(3) For students enrolled in any Missouri course access and virtual school program course in which costs associated with such course are to be paid by the school district or charter school as described under this subdivision, the school district or charter school shall pay the content provider directly on a pro rata monthly basis based on a student's completion of assignments and assessments. If a student discontinues enrollment, the district or charter school may stop making monthly payments to the content provider. No school district or charter school shall pay, for any one course for a student, more than the market necessary costs but in no case shall pay more than fourteen percent of the state adequacy target, as defined under section 163.011, as calculated at the end of the most recent school year for any single, year-long course and no more than seven percent of the state adequacy target as described above for any single semester equivalent course.

~~(4) [For students enrolling in a full-time virtual program, the department of elementary and secondary education shall adopt a policy that delineates the process by which]~~ (a) A student who lives in this state may enroll in a virtual program of their choice as provided in this subdivision, and the provisions of subdivisions 1 to 3 of this subsection shall not apply to such enrollment in a full-time virtual program. Each host school district operating a full-time virtual program under this section shall adopt, operate and implement [the state] an enrollment policy[; subject to] as specified by the provisions of this subdivision. ~~[The policy shall:~~

~~(a) Require the good faith collaboration of]~~ The student, the student's parent or guardian if the student is not considered homeless, the virtual program, the host district, and the resident district[;] shall collaborate in good faith to implement the enrollment policy regarding the student's enrollment, and the resident school district and the host school district may mutually agree that the resident district shall offer or continue to offer services for the student under an agreement that includes financial terms for reimbursement by the host school district for the necessary costs of the resident school district providing such services. An enrollment policy specified under this subsection shall:

1 ~~[(b)]~~ a. Require a student's parent or guardian, if the student is not considered homeless, to
 2 apply for enrollment in a full time virtual program directly with the virtual program;

3 b. Specify timelines for timely participation by the virtual program, the host district, and
 4 resident district; provided that the resident district shall provide any relevant information and input
 5 on the enrollment within ten business days of notice from the virtual program of the enrollment
 6 application;

7 ~~[(c)]~~ c. Include a survey of the reasons for the student's and parent's interests in participating
 8 in the virtual program;

9 ~~[(d)]~~ d. Include consideration of available opportunities for in-person instruction prior to
 10 enrolling a student in a virtual program;

11 ~~[(e)]~~ e. Evaluate requests for enrollment based on meeting the needs for a student to be
 12 successful considering all relevant factors;

13 ~~[(f)]~~ f. Ensure that, for any enrolling student with a covered disability, an individualized
 14 education [services plan and collaborative agreement is] program and a related services agreement,
 15 in cases where such agreement is needed, are created to provide all services required to ensure a free
 16 and appropriate public education, including financial terms for reimbursement by the host district
 17 for the necessary costs of any virtual program, school district, or public or private entity providing
 18 all or a portion of such services;

19 ~~[(g)]~~ g. Require the virtual program to determine whether an enrolling student will be
 20 admitted, based on the enrollment policy, in consideration of all relevant factors and provide the
 21 basis for its determination and any service plan for the student, in writing, to the student, the
 22 student's parent or guardian, the host district, and the resident district; and

23 ~~[(h)]~~ h. Provide a process for reviewing appeals of decisions made under this subdivision[;
 24 and].

25 ~~[(i) Require]~~ (b) The department ~~[to]~~ shall publish an annual report based on the
 26 enrollments and enrollment surveys conducted under this subdivision that provides data at the
 27 statewide and district levels of sufficient detail to allow analysis of trends regarding the reasons for
 28 participation in the virtual program at the statewide and district levels; provided that no such survey
 29 results will be published in a manner that reveals individual student information. The department
 30 shall also include, in the annual report, data at the statewide and district levels of sufficient detail to
 31 allow detection and analysis of the racial, ethnic, and socio-economic balance of virtual program
 32 participation among schools and districts at the statewide and district levels, provided that no such
 33 survey results will be published in a manner that reveals individual student information.

34 (5) In the case of a student who is a candidate for A+ tuition reimbursement and taking a
 35 virtual course under this section, the school shall attribute no less than ninety-five percent
 36 attendance to any such student who has completed such virtual course.

37 (6) The Missouri course access and virtual school program shall ensure that individual
 38 learning plans designed by certified teachers and professional staff are developed for all students
 39 enrolled in more than two full-time course access program courses or a full-time virtual school.

1 (7) Virtual school programs shall monitor individual student success and engagement of
2 students enrolled in their program[;] and, for students enrolled in virtual courses on a part-time
3 basis, the virtual school program shall provide regular student progress reports for each student at
4 least four times per school year to the school district or charter school, provide the host school
5 district and the resident school district ongoing access to academic and other relevant information
6 on student success and engagement, and shall terminate or alter the course offering if it is found the
7 course ~~[or full-time virtual school]~~ is not meeting the educational needs of the students enrolled in
8 the course.

9 (8) The department of elementary and secondary education shall monitor the aggregate
10 performance of providers and make such information available to the public under subsection 11 of
11 this section.

12 (9) Pursuant to rules to be promulgated by the department of elementary and secondary
13 education, when a student transfers into a school district or charter school, credits previously gained
14 through successful passage of approved courses under the Missouri course access and virtual school
15 program shall be accepted by the school district or charter school.

16 (10) Pursuant to rules to be promulgated by the department of elementary and secondary
17 education, if a student transfers into a school district or charter school while enrolled in a Missouri
18 course access and virtual school program course or full-time virtual school, the student shall
19 continue to be enrolled in such course or school.

20 (11) Nothing in this section shall prohibit home school students, private school students, or
21 students wishing to take additional courses beyond their regular course load from enrolling in
22 Missouri course access and virtual school program courses under an agreement that includes terms
23 for paying tuition or course fees.

24 (12) Nothing in this subsection shall require any school district, charter school, virtual
25 program, or the state to provide computers, equipment, or internet access to any student unless
26 required under the education services plan created for an eligible student under subdivision (4) of
27 this subsection or for an eligible student with a disability to comply with federal law. An education
28 services plan may require an eligible student to have access to school facilities of the resident school
29 district during regular school hours for participation and instructional activities of a virtual program
30 under this section, and the education services plan shall provide for reimbursement of the resident
31 school district for such access pursuant to rules adopted by the department under this section.

32 (13) The authorization process shall provide for continuous monitoring of approved
33 providers and courses. The department shall revoke or suspend or take other corrective action
34 regarding the authorization of any course or provider no longer meeting the requirements of the
35 program. Unless immediate action is necessary, prior to revocation or suspension, the department
36 shall notify the provider and give the provider a reasonable time period to take corrective action to
37 avoid revocation or suspension. The process shall provide for periodic renewal of authorization no
38 less frequently than once every three years.

39 (14) Courses approved as of August 28, 2018, by the department to participate in the

1 Missouri virtual instruction program shall be automatically approved to participate in the Missouri
2 course access and virtual school program, but shall be subject to periodic renewal.

3 (15) Any online course or virtual program offered by a school district or charter school,
4 including those offered prior to August 28, 2018, which meets the requirements of section 162.1250
5 shall be automatically approved to participate in the Missouri course access and virtual school
6 program. Such course or program shall be subject to periodic renewal. A school district or charter
7 school offering such a course or virtual school program shall be deemed an approved provider.

8 (16) A host district may contract with a provider to perform any required services involved
9 with delivering a full time virtual education.

10 4. (1) As used in this subsection, the term "instructional activities" means classroom-based
11 or nonclassroom-based activities that a student shall be expected to complete, participate in, or
12 attend during any given school day, such as:

- 13 (a) Online logins to curricula or programs;
- 14 (b) Offline activities;
- 15 (c) Completed assignments within a particular program, curriculum, or class;
- 16 (d) Testing;
- 17 (e) Face-to-face communications or meetings with school staff;
- 18 (f) Telephone or video conferences with school staff;
- 19 (g) School-sanctioned field trips; or
- 20 (h) Orientation.

21 (2) A full-time virtual school shall submit a notification to the parent or guardian of any
22 student who is not consistently engaged in instructional activities.

23 (3) Each full-time virtual school shall develop, adopt, and post on the school's website a
24 policy setting forth the consequences for a student who fails to complete the required instructional
25 activities. Such policy shall state, at a minimum, that if a student fails to complete the instructional
26 activities after receiving a notification under subdivision (2) of this subsection, and after reasonable
27 intervention strategies have been implemented, that the student shall be subject to certain
28 consequences which may include disenrollment from the school. Prior to any disenrollment, the
29 parent or guardian shall have the opportunity to present any information that the parent deems
30 relevant, and such information shall be considered prior to any final decision.

31 (4) If a full-time virtual school disenrolls a student under subdivision (3) of this subsection,
32 the school shall immediately provide written notification to such student's school district of
33 residence. The student's school district of residence shall then provide to the parents or guardian of
34 the student a written list of available educational options and promptly enroll the student in the
35 selected option. Any student disenrolled from a full-time virtual school shall be prohibited from
36 reenrolling in the same virtual school for the remainder of the school year.

37 (5) For the purpose of subsection 2 of this section, the average daily attendance of a full-
38 time virtual student who is completing required instructional activities under this subsection shall be
39 calculated as if the pupil's attendance percentage equaled the host district's or charter school's prior-

1 year average attendance percentage.

2 5. School districts or charter schools shall inform parents of their child's right to participate
3 in the program. Availability of the program shall be made clear in the parent handbook, registration
4 documents, and featured on the home page of the school district or charter school's website.

5 6. The department shall:

6 (1) Establish an authorization process for course or full-time virtual school providers that
7 includes multiple opportunities for submission each year;

8 (2) Pursuant to the time line established by the department, authorize course or full-time
9 virtual school providers that:

10 (a) Submit all necessary information pursuant to the requirements of the process; and

11 (b) Meet the criteria described in subdivision (3) of this subsection;

12 (3) Review, pursuant to the authorization process, proposals from providers to provide a
13 comprehensive, full-time equivalent course of study for students through the Missouri course access
14 and virtual school program. The department shall ensure that these comprehensive courses of study
15 align to state academic standards and that there is consistency and compatibility in the curriculum
16 used by all providers from one grade level to the next grade level;

17 (4) Within thirty days of any denial, provide a written explanation to any course or full-time
18 virtual school providers that are denied authorization;

19 (5) Allow a course or full-time virtual school provider denied authorization to reapply at any
20 point in the future.

21 7. The department shall publish the process established under this section, including any
22 deadlines and any guidelines applicable to the submission and authorization process for course or
23 full-time virtual school providers on its website.

24 8. If the department determines that there are insufficient funds available for evaluating and
25 authorizing course or full-time virtual school providers, the department may charge applicant course
26 or full-time virtual school providers a fee up to, but no greater than, the amount of the costs in order
27 to ensure that evaluation occurs. The department shall establish and publish a fee schedule for
28 purposes of this subsection.

29 9. Except as specified in this section and as may be specified by rule of the state board of
30 education, the Missouri course access and virtual school program shall comply with all state laws
31 and regulations applicable to school districts, including but not limited to the Missouri school
32 improvement program (MSIP), annual performance report (APR), teacher certification, curriculum
33 standards, audit requirements under chapter 165, access to public records under chapter 610, and
34 school accountability report cards under section 160.522. Teachers and administrators employed by
35 a virtual provider shall be considered to be employed in a public school for all certification purposes
36 under chapter 168.

37 10. The department shall submit and publicly publish an annual report on the Missouri
38 course access and virtual school program and the participation of entities to the governor, the chair
39 and ranking member of the senate education committee, and the chair and ranking member of the

1 house of representatives elementary and secondary education committee. The report shall at a
2 minimum include the following information:

- 3 (1) The annual number of unique students participating in courses authorized under this
4 section and the total number of courses in which students are enrolled in;
- 5 (2) The number of authorized providers;
- 6 (3) The number of authorized courses and the number of students enrolled in each course;
- 7 (4) The number of courses available by subject and grade level;
- 8 (5) The number of students enrolled in courses broken down by subject and grade level;
- 9 (6) Student outcome data, including completion rates, student learning gains, student
10 performance on state or nationally accepted assessments, by subject and grade level per provider.
11 This outcome data shall be published in a manner that protects student privacy;

- 12 (7) The costs per course;
- 13 (8) Evaluation of in-school course availability compared to course access availability to
14 ensure gaps in course access are being addressed statewide.

15 11. (1) The department shall be responsible for creating the Missouri course access and
16 virtual school program catalog providing a listing of all courses authorized and available to students
17 in the state, detailed information, including costs per course, about the courses to inform student
18 enrollment decisions, and the ability for students to submit their course enrollments.

19 (2) On or before January 1, 2023, the department shall publish on its website, and distribute
20 to all school districts and charter schools in this state, a guidance document that details the options
21 for virtual course access and full-time virtual course access for all students in the state. The
22 guidance document shall include a complete and readily understood description of the applicable
23 enrollment processes including the opportunity for students to enroll and the roles and
24 responsibilities of the student, parent, virtual provider, school district or districts, and charter
25 schools, as appropriate. The guidance document shall be distributed in written and electronic form
26 to all school districts, charter schools, and virtual providers. School districts and charter schools
27 shall provide a copy of the guidance document to every pupil and parent or legal guardian of every
28 pupil enrolled in the district or charter school at the beginning of each school year and upon
29 enrollment for every pupil enrolling at a different time of the school year. School districts and
30 charter schools shall provide a readily viewable link to the electronic version of the guidance
31 document on the main page of the district's or charter school's website.

32 12. The state board of education through the rulemaking process and the department of
33 elementary and secondary education in its policies and procedures shall ensure that multiple content
34 providers and learning management systems are allowed, ensure digital content conforms to
35 accessibility requirements, provide an easily accessible link for providers to submit courses or full-
36 time virtual schools on the Missouri course access and virtual school program website, and allow
37 any person, organization, or entity to submit courses or full-time virtual schools for approval. No
38 content provider shall be allowed that is unwilling to accept payments in the amount and manner as
39 described under subdivision (3) of subsection 3 of this section or does not meet performance or

1 quality standards adopted by the state board of education.

2 13. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
3 under the authority delegated in this section shall become effective only if it complies with and is
4 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
5 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
6 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
7 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
8 August 28, 2006, shall be invalid and void.

9 163.063. 1. As used in this section, the following words mean:

10 (1) "Nonresident pupil", a child who:

11 (a) At the time such child is admitted to a residential care facility, is domiciled in one school
12 district in Missouri but resides in a residential care facility located in another school district in
13 Missouri as a result of placement arranged by or approved by the department of mental health or the
14 department of social services or placement arranged by or ordered by a court of competent
15 jurisdiction;

16 (b) Receives care or treatment in such residential care facility that is not within the school
17 district in which the child's domicile is located;

18 (c) Is unable to attend school in either the school district in which such domicile is located
19 or the school district in which such residential care facility is located because such child:

20 a. May be a safety risk; or

21 b. Has behavioral conditions that support the need to educate such child on such residential
22 care facility's site or campus; and

23 (d) Is being provided all required educational services within such residential care facility;

24 (2) "Residential care facility", any residential care facility required to be licensed under
25 sections 210.481 to 210.536, or a similar facility.

26 2. For purposes of calculating federal aid and state aid distributions for nonresident pupils
27 pursuant to the provisions of this chapter, a nonresident pupil who receives all of such pupil's
28 required educational services on-site at a residential care facility shall be included in the average
29 daily attendance of the following school district that results in the greatest total amount of state and
30 federal aid to the district in which the residential care facility is located:

31 (1) The school district of such pupil's domicile prior to placement in a residential care
32 facility; or

33 (2) The school district of such pupil's residence following placement in a residential care
34 facility.

35 3. Any educational costs incurred by a residential care facility that are not remitted under
36 this section may be reimbursed as provided in section 167.126.

37 4. Educational costs incurred by a residential care facility for a child who was not enrolled
38 in a school district in Missouri at the time the child was admitted to such residential care facility
39 shall be reimbursed as provided in section 167.126.

1 5. No provision of this section shall be construed to prevent a residential care facility and a
2 school district from mutually agreeing to a financial arrangement that deviates from the provisions
3 of this section.

4 167.019. 1. (1) A child-placing agency, as defined under section 210.481, shall promote
5 educational stability for foster care children by considering the child's school attendance area when
6 making placement decisions. The foster care pupil shall have the right to remain enrolled in and
7 attend his or her school of origin pending resolution of school placement disputes or to return to a
8 previously attended school in an adjacent district.

9 (2) In the event that a best interest determination is not completed within ten days of a
10 child's being placed in a foster care placement that is located in a school district other than the
11 child's domicile school district prior to such placement, it shall be deemed that enrollment in the
12 school district where the child resides as a result of such placement shall be in the best interest of the
13 child for the purpose of the required best interest determination. This subdivision shall apply only
14 to cases where the distance between the child's residential address as a result of the foster care
15 placement and the school building that was the child's previous school in their domicile district is
16 more than ten miles, or fifteen miles if the child is receiving service from a special school district
17 established under the provisions of sections 162.670 to 162.999.

18 2. Each school district shall accept for credit full or partial course work satisfactorily
19 completed by a pupil while attending a public school, nonpublic school, or nonsectarian school in
20 accordance with district policies or regulations.

21 3. If a pupil completes the graduation requirements of his or her school district of residence
22 while under the jurisdiction of the juvenile court as described in chapter 211, the school district of
23 residence shall issue a diploma to the pupil.

24 4. School districts shall ensure that if a pupil in foster care is absent from school due to a
25 decision to change the placement of a pupil made by a court or child placing agency, or due to a
26 verified court appearance or related court-ordered activity, the grades and credits of the pupil shall
27 be calculated as of the date the pupil left school, and no lowering of his or her grades shall occur as
28 a result of the absence of the pupil under these circumstances.

29 5. School districts, subject to federal law, shall be authorized to permit access of pupil
30 school records to any child placing agency for the purpose of fulfilling educational case
31 management responsibilities required by the juvenile officer or by law and to assist with the school
32 transfer or placement of a pupil.

33 6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
34 under the authority delegated in this section shall become effective only if it complies with and is
35 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
36 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
37 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
38 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
39 August 28, 2009, shall be invalid and void.

1 167.126. 1. (1) The following children shall have the right to educational services as
 2 provided in subdivision (2) of this section:

3 (a) Children who are admitted to programs or facilities of the department of mental health
 4 [or]; and

5 (b) Children whose domicile is one school district in Missouri but who reside in another
 6 school district in Missouri as a result of:

7 a. Placement arranged by or approved by the department of mental health[;] or the
 8 department of social services [or];

9 b. Placement arranged by or ordered by a court of competent jurisdiction; or

10 c. Admittance under a physician's order because of a determination of medical necessity for
 11 a diagnosed mental illness.

12 (2) Children described in subdivision (1) of this subsection shall have a right to be provided
 13 the educational services as provided by law and shall not be denied admission to any appropriate
 14 regular public school or special school district program or program operated by the state board of
 15 education, as the case may be, where the child actually resides because of such admission or
 16 placement; provided, however, that nothing in this section shall prevent the department of mental
 17 health, the department of social services or a court of competent jurisdiction from otherwise
 18 providing or procuring educational services for such child.

19 2. Each school district or special school district constituting the domicile of any child for
 20 whom educational services are provided or procured under this section shall pay toward the per-
 21 pupil costs for educational services for such child. A school district which is not a special school
 22 district shall pay an amount equal to the average sum produced per child by the local tax effort of
 23 the district of domicile. A special school district shall pay an amount not to exceed the average sum
 24 produced per child by the local tax efforts of the domiciliary districts.

25 3. When educational services have been provided by the school district or special school
 26 district in which a child actually resides, including a child who temporarily resides in a children's
 27 hospital licensed under chapter 197 or a psychiatric residential treatment facility, for rendering
 28 health care services to children under the age of eighteen for more than three days, other than the
 29 district of domicile, the amounts as provided in subsection 2 of this section for which the
 30 domiciliary school district or special school district is responsible shall be paid by such district
 31 directly to the serving district. The school district, or special school district, as the case may be,
 32 shall send a written voucher for payment to the regular or special district constituting the domicile
 33 of the child served and the domiciliary school district or special school district receiving such
 34 voucher shall pay the district providing or procuring the services an amount not to exceed the
 35 average sum produced per child by the local tax efforts of the domiciliary districts. In the event the
 36 responsible district fails to pay the appropriate amount to the district within ninety days after a
 37 voucher is submitted, the state department of elementary and secondary education shall deduct the
 38 appropriate amount due from the next payments of any state financial aid due that district and shall
 39 pay the same to the appropriate district.

1 4. In cases where a child whose domicile is in one district is placed in programs or facilities
 2 operated by the department of mental health or resides in another district pursuant to assignment by
 3 that department ~~[or]~~, is placed by the department of social services or a court of competent
 4 jurisdiction into any type of publicly contracted residential site in Missouri, or is admitted under a
 5 physician's order because of a determination of medical necessity for a diagnosed mental illness, the
 6 department of elementary and secondary education shall, as soon as funds are appropriated, pay the
 7 serving district from funds appropriated for that purpose the amount by which the per-pupil costs of
 8 the educational services exceeds the amounts received from the domiciliary district except that any
 9 other state money received by the serving district by virtue of rendering such service shall reduce
 10 the balance due.

11 5. Institutions providing a place of residence for children whose parents or guardians do not
 12 reside in the district in which the institution is located shall have authority to enroll such children in
 13 a program in the district or special district in which the institution is located and such enrollment
 14 shall be subject to the provisions of subsections 2 and 3 of this section. The provisions of this
 15 subsection shall not apply to placement authorized pursuant to subsection 1 of this section or if the
 16 placement occurred for the sole purpose of enrollment in the district or special district. "Institution"
 17 as used in this subsection means a facility organized under the laws of Missouri for the purpose of
 18 providing care and treatment of juveniles.

19 6. Children residing in institutions providing a place of residence for three or more such
 20 children whose domicile is not in the state of Missouri may be admitted to schools or programs
 21 provided on a contractual basis between the school district, special district or state department or
 22 agency and the proper department or agency, or persons in the state where domicile is maintained.
 23 Such contracts shall not be permitted to place any financial burden whatsoever upon the state of
 24 Missouri, its political subdivisions, school districts or taxpayers.

25 7. For purposes of this section the domicile of the child shall be the school district where the
 26 child would have been educated if the child had not been placed in a different school district. No
 27 provision of this section shall be construed to deny any child domiciled in Missouri appropriate and
 28 necessary, gratuitous public services.

29 8. For the purpose of distributing state aid under section 163.031, a child receiving
 30 educational services provided by the district in which the child actually resides, other than the
 31 district of domicile, shall be included in average daily attendance, as defined under section 163.011,
 32 of the district providing the educational services for the child.

33 9. Each school district or special school district where the child actually resides, other than
 34 the district of domicile, may receive payment from the department of elementary and secondary
 35 education, in lieu of receiving the local tax effort from the domiciliary school district. Such
 36 payments from the department shall be subject to appropriation and shall only be made for children
 37 that have been placed in a school other than the domiciliary school district by a state agency ~~[or]~~, a
 38 court of competent jurisdiction, or by being admitted under a physician's order because of a

1 determination of medical necessity for a diagnosed mental illness and from whom excess
2 educational costs are billed to the department of elementary and secondary education.

3 205.565. The department of social services and the department of elementary and secondary
4 education may, subject to appropriation, use, administer and dispose of any gifts, grants, or in-kind
5 services and may award grants to qualifying entities to carry out the caring communities program.

6 210.1360. 1. Any personally identifiable information regarding any child under eighteen
7 years of age receiving child care from any provider or applying for or receiving any services through
8 a state program shall not be subject to disclosure except as otherwise provided by law.

9 2. This section shall not prohibit any state agency from disclosing personally identifiable
10 information to any governmental entity or its agents, vendors, grantees, and contractors in
11 connection to matters relating to its official duties. The provisions of this section shall not apply to
12 any state, county, or municipal law enforcement agency acting in its official capacity.

13 3. This section shall not prevent a parent or legal guardian from accessing the parent's or
14 legal guardian's child's records."; and

15
16 Further amend said bill by amending the title, enacting clause, and intersectional references
17 accordingly.