

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill
2 Nos. 411 & 230, Page 1, Section A, Line 9, by inserting after all of the said section and line the following:
3

4 "43.539. 1. As used in this section, the following terms mean:

5 (1) "Applicant", a person who:

6 (a) Is actively employed by or seeks employment with a qualified entity;

7 (b) Is actively licensed or seeks licensure with a qualified entity;

8 (c) Actively volunteers or seeks to volunteer with a qualified entity;

9 (d) Is actively contracted with or seeks to contract with a qualified entity; or

10 (e) Owns or operates a qualified entity;

11 (2) "Care", the provision of care, treatment, education, training, instruction, supervision, or
12 recreation to children, the elderly, or disabled persons;

13 (3) "Missouri criminal record review", a review of criminal history records and sex offender
14 registration records under sections 589.400 to 589.425 maintained by the Missouri state highway patrol in the
15 Missouri criminal records repository;

16 (4) "Missouri Rap Back program", any type of automatic notification made by the Missouri state
17 highway patrol to a qualified entity indicating that an applicant who is employed, licensed, or otherwise
18 under the purview of that entity has been arrested for a reported criminal offense in Missouri as required
19 under section 43.506;

20 (5) "National criminal record review", a review of the criminal history records maintained by the
21 Federal Bureau of Investigation;

22 (6) "National Rap Back program", any type of automatic notification made by the Federal Bureau of
23 Investigation through the Missouri state highway patrol to a qualified entity indicating that an applicant who
24 is employed, licensed, or otherwise under the purview of that entity has been arrested for a reported criminal
25 offense outside the state of Missouri and the fingerprints for that arrest were forwarded to the Federal Bureau
26 of Investigation by the arresting agency;

27 (7) "Patient or resident", a person who by reason of age, illness, disease, or physical or mental
28 infirmity receives or requires care or services furnished by an applicant, as defined in this section, or who
29 resides or boards in, or is otherwise kept, cared for, treated, or accommodated in a facility as defined in
30 section 198.006, for a period exceeding twenty-four consecutive hours;

Action Taken _____ Date _____

1 (8) "Qualified entity", a person, business, or organization that provides care, care placement, or
2 educational services for children, the elderly, or persons with disabilities as patients or residents, including a
3 business or organization that licenses or certifies others to provide care or care placement services;

4 (9) "Youth services agency", any agency, school, or association that provides programs, care, or
5 treatment for or exercises supervision over minors.

6 2. The central repository shall have the authority to submit applicant fingerprints to the National Rap
7 Back program to be retained for the purpose of being searched against future submissions to the National Rap
8 Back program, including latent fingerprint searches. Qualified entities may conduct Missouri and national
9 criminal record reviews on applicants and participate in Missouri and National Rap Back programs for the
10 purpose of determining suitability or fitness for a permit, license, or employment, and shall abide by the
11 following requirements:

12 (1) The qualified entity shall register with the Missouri state highway patrol prior to submitting a
13 request for screening under this section. As part of the registration, the qualified entity shall indicate if it
14 chooses to enroll applicants in the Missouri and National Rap Back programs;

15 (2) Qualified entities shall notify applicants subject to a criminal record review under this section
16 that the applicant's fingerprints shall be retained by the state central repository and the Federal Bureau of
17 Investigation and shall be searched against other fingerprints on file, including latent fingerprints;

18 (3) Qualified entities shall notify applicants subject to enrollment in the National Rap Back program
19 that the applicant's fingerprints, while retained, may continue to be compared against other fingerprints
20 submitted or retained by the Federal Bureau of Investigation, including latent fingerprints;

21 (4) The criminal record review and Rap Back process described in this section shall be voluntary and
22 conform to the requirements established in the National Child Protection Act of 1993, as amended, and other
23 applicable state or federal law. As a part of the registration, the qualified entity shall agree to comply with
24 state and federal law and shall indicate so by signing an agreement approved by the Missouri state highway
25 patrol. The Missouri state highway patrol may periodically audit qualified entities to ensure compliance with
26 federal law and this section;

27 (5) A qualified entity shall submit to the Missouri state highway patrol a request for screening on
28 applicants covered under this section using a completed fingerprint card;

29 (6) Each request shall be accompanied by a reasonable fee, as provided in section 43.530, plus the
30 amount required, if any, by the Federal Bureau of Investigation for the national criminal record review and
31 enrollment in the National Rap Back program in compliance with the National Child Protection Act of 1993,
32 as amended, and other applicable state or federal laws;

33 (7) The Missouri state highway patrol shall provide, directly to the qualified entity, the applicant's
34 state criminal history records that are not exempt from disclosure under chapter 610 or otherwise confidential
35 under law;

36 (8) The national criminal history data shall be available to qualified entities to use only for the
37 purpose of screening applicants as described under this section. The Missouri state highway patrol shall
38 provide the applicant's national criminal history record information directly to the qualified entity;

(9) The determination whether the criminal history record shows that the applicant has been convicted of or has a pending charge for any crime that bears upon the fitness of the applicant to have responsibility for the safety and well-being of children, the elderly, or disabled persons shall be made solely by the qualified entity. This section shall not require the Missouri state highway patrol to make such a determination on behalf of any qualified entity;

(10) The qualified entity shall notify the applicant, in writing, of his or her right to obtain a copy of any criminal record review, including the criminal history records, if any, contained in the report and of the applicant's right to challenge the accuracy and completeness of any information contained in any such report and obtain a determination as to the validity of such challenge before a final determination regarding the applicant is made by the qualified entity reviewing the criminal history information. A qualified entity that is required by law to apply screening criteria, including any right to contest or request an exemption from disqualification, shall apply such screening criteria to the state and national criminal history record information received from the Missouri state highway patrol for those applicants subject to the required screening; and

(11) Failure to obtain the information authorized under this section, with respect to an applicant, shall not be used as evidence in any negligence action against a qualified entity. The state, any political subdivision of the state, or any agency, officer, or employee of the state or a political subdivision shall not be liable for damages for providing the information requested under this section.

3. The criminal record review shall include the submission of fingerprints to the Missouri state highway patrol, who shall conduct a Missouri criminal record review, including closed record information under section 610.120. The Missouri state highway patrol shall also forward a copy of the applicant's fingerprints to the Federal Bureau of Investigation for a national criminal record review.

4. The applicant subject to a criminal record review shall provide the following information to the qualified entity:

(1) Consent to obtain the applicant's fingerprints, conduct the criminal record review, and participate in the Missouri and National Rap Back programs;

(2) Consent to obtain the identifying information required to conduct the criminal record review, which may include, but not be limited to:

(a) Name;

(b) Date of birth;

(c) Height;

(d) Weight;

(e) Eye color;

(f) Hair color;

(g) Gender;

(h) Race;

(i) Place of birth;

(j) Social Security number; and

(k) The applicant's photo.

5. Any information received by an authorized state agency or a qualified entity under the provisions of this section shall be used solely for internal purposes in determining the suitability of an applicant. The dissemination of criminal history information from the Federal Bureau of Investigation beyond the authorized state agency or related governmental entity is prohibited. All criminal record check information shall be confidential, and any person who discloses the information beyond the scope allowed is guilty of a class A misdemeanor.

6. A qualified entity enrolled in either the Missouri or National Rap Back program shall be notified by the Missouri state highway patrol that a new arrest has been reported on an applicant who is employed, licensed, or otherwise under the purview of the qualified entity. Upon receiving the Rap Back notification, if the qualified entity deems that the applicant is still serving in an active capacity, the entity may request and receive the individual's updated criminal history record. This process shall only occur if:

(1) The entity has abided by all procedures and rules promulgated by the Missouri state highway patrol and Federal Bureau of Investigation regarding the Missouri and National Rap Back programs;

(2) The individual upon whom the Rap Back notification is being made has previously had a Missouri and national criminal record review completed for the qualified entity under this section [~~within the previous six years~~]; and

(3) The individual upon whom the Rap Back notification is being made is a current employee, licensee, or otherwise still actively under the purview of the qualified entity.

7. The Missouri state highway patrol shall make available or approve the necessary forms, procedures, and agreements necessary to implement the provisions of this section.

43.540. 1. As used in this section, the following terms mean:

(1) "Applicant", a person who:

(a) Is actively employed by or seeks employment with a qualified entity;

(b) Is actively licensed or seeks licensure with a qualified entity;

(c) Actively volunteers or seeks to volunteer with a qualified entity; or

(d) Is actively contracted with or seeks to contract with a qualified entity;

(2) "Missouri criminal record review", a review of criminal history records and sex offender registration records pursuant to sections 589.400 to 589.425 maintained by the Missouri state highway patrol in the Missouri criminal records repository;

(3) "Missouri Rap Back program", shall include any type of automatic notification made by the Missouri state highway patrol to a qualified entity indicating that an applicant who is employed, licensed, or otherwise under the purview of that entity has been arrested for a reported criminal offense in Missouri as required under section 43.506;

(4) "National criminal record review", a review of the criminal history records maintained by the Federal Bureau of Investigation;

(5) "National Rap Back program", shall include any type of automatic notification made by the Federal Bureau of Investigation through the Missouri state highway patrol to a qualified entity indicating that an applicant who is employed, licensed, or otherwise under the purview of that entity has been arrested for a

1 reported criminal offense outside the state of Missouri and the fingerprints for that arrest were forwarded to
2 the Federal Bureau of Investigation by the arresting agency;

3 (6) "Qualified entity", an entity that is:

4 (a) An office or division of state, county, or municipal government, including a political subdivision
5 or a board or commission designated by statute or approved local ordinance, to issue or renew a license,
6 permit, certification, or registration of authority;

7 (b) An office or division of state, county, or municipal government, including a political subdivision
8 or a board or commission designated by statute or approved local ordinance, to make fitness determinations
9 on applications for state, county, or municipal government employment; or

10 (c) Any entity that is authorized to obtain criminal history record information under 28 CFR 20.33.

11 2. The central repository shall have the authority to submit applicant fingerprints to the National Rap
12 Back program to be retained for the purpose of being searched against future submissions to the National Rap
13 Back program, including latent fingerprint searches. Qualified entities may conduct Missouri and national
14 criminal record reviews on applicants and participate in Missouri and National Rap Back programs for the
15 purpose of determining suitability or fitness for a permit, license, or employment, and shall abide by the
16 following requirements:

17 (1) The qualified entity shall register with the Missouri state highway patrol prior to submitting a
18 request for screening under this section. As part of such registration, the qualified entity shall indicate if it
19 chooses to enroll their applicants in the Missouri and National Rap Back programs;

20 (2) Qualified entities shall notify applicants subject to a criminal record review under this section
21 that the applicant's fingerprints shall be retained by the state central repository and the Federal Bureau of
22 Investigation and shall be searched against other fingerprints on file, including latent fingerprints;

23 (3) Qualified entities shall notify applicants subject to enrollment in the National Rap Back program
24 that the applicant's fingerprints, while retained, may continue to be compared against other fingerprints
25 submitted or retained by the Federal Bureau of Investigation, including latent fingerprints;

26 (4) The criminal record review and Rap Back process described in this section shall be voluntary and
27 conform to the requirements established in Pub. L. 92-544 and other applicable state or federal law. As a part
28 of the registration, the qualified entity shall agree to comply with state and federal law and shall indicate so
29 by signing an agreement approved by the Missouri state highway patrol. The Missouri state highway patrol
30 may periodically audit qualified entities to ensure compliance with federal law and this section;

31 (5) A qualified entity shall submit to the Missouri state highway patrol a request for screening on
32 applicants covered under this section using a completed fingerprint card;

33 (6) Each request shall be accompanied by a reasonable fee, as provided in section 43.530, plus the
34 amount required, if any, by the Federal Bureau of Investigation for the national criminal record review and
35 enrollment in the National Rap Back program in compliance with applicable state or federal laws;

36 (7) The Missouri state highway patrol shall provide, directly to the qualified entity, the applicant's
37 state criminal history records that are not exempt from disclosure under chapter 610 or are otherwise
38 confidential under law;

(8) The national criminal history data shall be available to qualified entities to use only for the purpose of screening applicants as described under this section. The Missouri state highway patrol shall provide the applicant's national criminal history record information directly to the qualified entity;

(9) This section shall not require the Missouri state highway patrol to make an eligibility determination on behalf of any qualified entity;

(10) The qualified entity shall notify the applicant, in writing, of his or her right to obtain a copy of any criminal record review, including the criminal history records, if any, contained in the report, and of the applicant's right to challenge the accuracy and completeness of any information contained in any such report and to obtain a determination as to the validity of such challenge before a final determination regarding the applicant is made by the qualified entity reviewing the criminal history information. A qualified entity that is required by law to apply screening criteria, including any right to contest or request an exemption from disqualification, shall apply such screening criteria to the state and national criminal history record information received from the Missouri state highway patrol for those applicants subject to the required screening; and

(11) Failure to obtain the information authorized under this section with respect to an applicant shall not be used as evidence in any negligence action against a qualified entity. The state, any political subdivision of the state, or any agency, officer, or employee of the state or a political subdivision shall not be liable for damages for providing the information requested under this section.

3. The criminal record review shall include the submission of fingerprints to the Missouri state highway patrol, who shall conduct a Missouri criminal record review, including closed record information under section 610.120. The Missouri state highway patrol shall also forward a copy of the applicant's fingerprints to the Federal Bureau of Investigation for a national criminal record review.

4. The applicant subject to a criminal record review shall provide the following information to the qualified entity:

(1) Consent to obtain the applicant's fingerprints, conduct the criminal record review, and participate in the Missouri and National Rap Back programs;

(2) Consent to obtain the identifying information required to conduct the criminal record review, which may include, but not be limited to:

(a) Name;

(b) Date of birth;

(c) Height;

(d) Weight;

(e) Eye color;

(f) Hair color;

(g) Gender;

(h) Race;

(i) Place of birth;

(j) Social Security number; and

(k) The applicant's photo.

5. Any information received by an authorized state agency or a qualified entity pursuant to the provisions of this section shall be used solely for internal purposes in determining the suitability of an applicant. The dissemination of criminal history information from the Federal Bureau of Investigation beyond the authorized state agency or related governmental entity is prohibited. All criminal record check information shall be confidential and any person who discloses the information beyond the scope allowed is guilty of a class A misdemeanor.

6. A qualified entity enrolled in either the Missouri or National Rap Back programs shall be notified by the Missouri state highway patrol that a new arrest has been reported on an applicant who is employed, licensed, or otherwise under the purview of the qualified entity. Upon receiving the Rap Back notification, if the qualified entity deems that the applicant is still serving in an active capacity, the entity may request and receive the individual's updated criminal history record. This process shall only occur if:

(1) The agency has abided by all procedures and rules promulgated by the Missouri state highway patrol and Federal Bureau of Investigation regarding the Missouri and National Rap Back programs;

(2) The individual upon whom the Rap Back notification is being made has previously had a Missouri and national criminal record review completed for the qualified entity under this section [~~within the previous six years~~]; and

(3) The individual upon whom the Rap Back notification is being made is a current employee, licensee, or otherwise still actively under the purview of the qualified entity.

7. The highway patrol shall make available or approve the necessary forms, procedures, and agreements necessary to implement the provisions of this section."; and

Further amend said bill, Page 4, Section 160.041, Line 18, by inserting after all of the said section and line the following:

"160.485. 1. This section shall be known and may be cited as the "Stop the Bleed Act".

2. As used in this section, the following terms mean:

(1) "Bleeding control kit", a first aid response kit that contains at least the following:

(a) Tourniquets that are:

a. Endorsed by the United States Department of Defense Committee on Tactical Combat Casualty Care or its successor entity; or

b. Approved for use in battlefield trauma care by the Armed Forces of the United States;

(b) Bleeding control bandages;

(c) Latex-free protective gloves;

(d) Permanent markers;

(e) Instructional documents developed by the United States Department of Homeland Security's Stop the Bleed national awareness campaign or the American College of Surgeons Committee on Trauma, or both; and

(f) Other medical materials and equipment similar to those described in paragraphs (a) and (b) of this subdivision;

1 (2) "Department", the department of elementary and secondary education;

2 (3) "Emergency medical services personnel", paid or volunteer firefighters, law enforcement
3 officers, first responders, emergency medical technicians, or other emergency service personnel acting within
4 the ordinary course and scope of those professions, but excluding physicians;

5 (4) "School personnel", any employee of a public school district or charter school, or any volunteer
6 serving at a public school or charter school, who is designated to use a bleeding control kit under this section.

7 3. (1) Before January 1, 2024, the department shall develop a traumatic blood loss protocol for
8 school personnel to follow in the event of an injury involving traumatic blood loss. The protocol shall meet
9 the requirements of this section and shall be made available to each school district and charter school.

10 (2) The traumatic blood loss protocol shall:

11 (a) Require that a bleeding control kit be placed in areas where there is likely to be high traffic or
12 congregation, such as auditoriums, cafeterias, or gymnasiums, and areas where risk of injury may be
13 elevated, including vocational classes such as woodworking or automotive classes, of each school district's
14 school building and each charter school in an easily accessible location of such areas to be determined by
15 local emergency medical services personnel;

16 (b) Include bleeding control kits in the emergency plans of each school district and charter school,
17 including the presentation and use of the bleeding control kits in all drills and emergencies;

18 (c) Require each school district and charter school to designate a school nurse or school health care
19 provider, or if no school nurse or school health care provider is available, a school personnel member, in each
20 school building who shall obtain appropriate training annually in the use of a bleeding control kit including,
21 but not limited to:

22 a. The proper application of pressure to stop bleeding;

23 b. The proper application of dressings or bandages;

24 c. Additional pressure techniques to control bleeding; and

25 d. The correct application of tourniquets;

26 (d) Require each bleeding control kit in school inventories to be inspected annually to ensure that the
27 materials, supplies, and equipment contained in the bleeding control kit have not expired and that any expired
28 materials, supplies, and equipment are replaced as necessary; and

29 (e) Require a bleeding control kit to be restocked after each use and any materials, supplies, and
30 equipment to be replaced as necessary to ensure that the bleeding control kit contains all necessary materials,
31 supplies, and equipment.

32 4. (1) The department shall, in collaboration with the United States Department of Homeland
33 Security and the state department of public safety, include requirements in the traumatic blood loss protocol
34 for school personnel to receive annual training in the use of bleeding control kits.

35 (2) The training requirements shall be satisfied by successful completion and certification under the
36 "STOP THE BLEED" course as promulgated by the American College of Surgeons Committee on Trauma or
37 the American Red Cross.

38 (3) The training requirements may allow online instruction.

39 5. (1) A bleeding control kit may contain any additional items that:

(a) Are approved by emergency medical services personnel, as such term is defined in section 190.600;

(b) Can adequately treat an injury involving traumatic blood loss; and

(c) Can be stored in a readily available kit.

(2) Quantities of each item required to be in a bleeding control kit may be determined by each school district.

6. (1) The department and each school district and charter school shall maintain information regarding the traumatic blood loss protocol and the Stop the Bleed national awareness campaign on each entity's website.

(2) Upon request by a school district or a charter school, the department may, in collaboration with the department of public safety, direct the school district or charter school to resources that are available to provide bleeding control kits to the school district or charter school.

7. (1) Except as otherwise provided in this subsection, each school district and charter school shall implement the traumatic blood loss protocol developed under this section before the end of the 2023-24 school year.

(2) The requirements that a bleeding control kit be placed as required in paragraph (a) of subdivision (2) of subsection 3 of this section, that each kit be restocked as necessary, and that school personnel receive training under this section shall be subject to an appropriation to cover all costs related to such requirements by the general assembly.

(3) Any school district or charter school may receive donations of funds for the purchase of bleeding control kits that meet the requirements of this section and may receive donations of bleeding control kits that meet the requirements of this section.

8. This section shall not be construed to create a cause of action against a school district, a charter school, or any school personnel. Any school personnel who in good faith use a bleeding control kit as provided by this section shall be immune from all civil liability for any act or omission in the use of a bleeding control kit unless the act or omission constitutes gross negligence or willful, wanton, or intentional misconduct."; and

Further amend said bill and page, Section 160.527, Line 18, by inserting after all of the said section and line the following:

"160.565. 1. This section shall be known and may be cited as the "Extended Learning Opportunities Act".

2. As used in this section, the following terms mean:

(1) "Extended learning opportunity", an out-of-classroom learning experience that is approved by a local school board or a charter school and that provides a student with:

(a) Enrichment opportunities;

(b) Career readiness or employability skills opportunities including, but not limited to, internships, pre-apprenticeships, or apprenticeships; or

1 (c) Any other approved educational opportunity;

2 (2) "Parent", a student's parent, guardian, or other person having control or custody of such student;

3 (3) "Student", any child attending an elementary or secondary public school in grades kindergarten
4 through twelve.

5 3. Beginning with the 2024-25 school year, each local school board and charter school shall
6 routinely inform students and parents of the ability for students to earn credit for participating in extended
7 learning opportunities. Public schools and charter schools may assist students and parents in completing
8 enrollment processes required for participating in approved extended learning opportunities. No student or
9 parent shall be required to obtain permission from the student's school district or charter school to enroll in an
10 approved extended learning opportunity. Before participating in any extended learning opportunity, the
11 student and at least one parent shall sign an agreement detailing all program requirements in a form
12 developed by the department of elementary and secondary education and approved by the state board of
13 education.

14 4. An extended learning opportunity shall count as a credit toward graduation requirements and the
15 achievement of applicable state standards for students. To receive credit, a student shall submit a written
16 request for credit and proof of successful completion of the extended learning opportunity to a designated
17 administrator of the school the student attends.

18 5. Each local school district and charter school shall adopt, distribute, and implement extended
19 learning opportunities policies that provide all of the following:

20 (1) An application process for accepting and approving extended learning opportunities offered for
21 credit from outside entities;

22 (2) A list of entities that are eligible to submit applications to offer extended learning opportunities
23 including, but not limited to:

24 (a) Nonprofit organizations;

25 (b) Businesses with established locations;

26 (c) Trade associations; and

27 (d) The Armed Forces of the United States, subject to applicable age requirements;

28 (3) A process for students and parents to request credit;

29 (4) Criteria that school districts and charter schools shall use to determine whether a proposed
30 extended learning opportunity shall be approved; and

31 (5) Criteria that school districts and charter schools shall use to award a certificate of completion and
32 credit for completing an extended learning opportunity including, but not limited to, allowing a student to
33 demonstrate competencies through performance-based assessments and other methods independent of
34 instructional time and credit hours.

35 6. An entity approved by the state board of education to offer an extended learning opportunity shall
36 be automatically qualified to offer that extended learning opportunity to all school districts and charter
37 schools.

38 7. A student who successfully completes an approved extended learning opportunity and satisfies
39 criteria for the award of a certification of completion and credit under subdivision (5) of subsection 5 of this

1 section shall be considered to have completed all required coursework for the particular course. In an
 2 extended learning opportunity that satisfies all required coursework for a high school course, the student shall
 3 also be considered to have satisfied the equivalent number of credits toward the student's graduation
 4 requirements.

5 8. Any policy or procedure adopted by the state board of education, a school board, or a charter
 6 school for participating in an extended learning opportunity shall provide every student an equal opportunity
 7 to participate and shall satisfy established timelines and requirements for purposes of transcribing credits and
 8 state reporting.

9 9. The state board of education may promulgate rules to implement the provisions of this section.
 10 Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority
 11 delegated in this section shall become effective only if it complies with and is subject to all of the provisions
 12 of chapter 536 and, if applicable, section 536.028. This section and chapter are nonseverable and if any of the
 13 powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to
 14 disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority
 15 and any rule proposed or adopted after August 28, 2023, shall be invalid and void.

16 160.665. 1. Any school district within the state may designate one or more elementary or secondary
 17 school teachers ~~[or]~~, administrators, or other designated school personnel as a school protection officer. The
 18 responsibilities and duties of a school protection officer are voluntary and shall be in addition to the normal
 19 responsibilities and duties of the teacher ~~[or]~~, administrator, or other designated school personnel. Any
 20 compensation for additional duties relating to service as a school protection officer shall be funded by the
 21 local school district, with no state funds used for such purpose.

22 2. Any person designated by a school district as a school protection officer shall be authorized to
 23 carry concealed firearms or a self-defense spray device in any school in the district. A self-defense spray
 24 device shall mean any device that is capable of carrying, and that ejects, releases, or emits, a nonlethal
 25 solution capable of incapacitating a violent threat. The school protection officer shall not be permitted to
 26 allow any firearm or device out of ~~[his or her]~~ the officer's personal control while that firearm or device is on
 27 school property. Any school protection officer who violates this subsection may be removed immediately
 28 ~~[from the classroom]~~ and subject to employment termination proceedings.

29 3. A school protection officer has the same authority to detain or use force against any person on
 30 school property as provided to any other person under chapter 563.

31 4. Upon detention of a person under subsection 3 of this section, the school protection officer shall
 32 immediately notify a school administrator and a school resource officer, if such officer is present at the
 33 school. If the person detained is a student then the parents or guardians of the student shall also be
 34 immediately notified by a school administrator.

35 5. Any person detained by a school protection officer shall be turned over to a school administrator
 36 or law enforcement officer as soon as practically possible and shall not be detained by a school protection
 37 officer for more than one hour.

38 6. Any teacher ~~[or]~~, administrator, or other designated school personnel of an elementary or
 39 secondary school who seeks to be designated as a school protection officer shall request such designation in

1 writing, and submit it to the superintendent of the school district ~~[which]~~ that employs ~~[him or her]~~ such
 2 individual as a teacher ~~[or]~~, administrator, or other designated school personnel. Along with this request, any
 3 teacher ~~[or]~~, administrator, or other designated school personnel seeking to carry a concealed firearm on
 4 school property shall also submit proof that ~~[he or she]~~ such individual has a valid concealed carry
 5 endorsement or permit, and all teachers ~~[and]~~, administrators, and other designated school personnel seeking
 6 the designation of school protection officer shall submit a certificate of school protection officer training
 7 program completion from a training program approved by the director of the department of public safety
 8 which demonstrates that such person has successfully completed the training requirements established by the
 9 POST commission under chapter 590 for school protection officers.

10 7. No school district may designate a teacher ~~[or]~~, administrator, or other designated school
 11 personnel as a school protection officer unless such person has successfully completed a school protection
 12 officer training program, which has been approved by the director of the department of public safety. No
 13 school district shall allow a school protection officer to carry a concealed firearm on school property unless
 14 the school protection officer has a valid concealed carry endorsement or permit.

15 8. (1) Any school district that designates a teacher ~~[or]~~, administrator, or other designated school
 16 personnel as a school protection officer shall, within thirty days, notify, in writing, the director of the
 17 department of public safety of the designation, which shall include the following:

18 ~~[(1)]~~ (a) The full name, date of birth, and address of the officer;

19 ~~[(2)]~~ (b) The name of the school district; and

20 ~~[(3)]~~ (c) The date such person was designated as a school protection officer.

21 (2) Notwithstanding any other provisions of law to the contrary, any identifying information
 22 collected under the authority of this subsection shall not be considered public information and shall not be
 23 subject to a request for public records made under chapter 610.

24 9. A school district may revoke the designation of a person as a school protection officer for any
 25 reason and shall immediately notify the designated school protection officer in writing of the revocation. The
 26 school district shall also within thirty days of the revocation notify the director of the department of public
 27 safety in writing of the revocation of the designation of such person as a school protection officer. A person
 28 who has had the designation of school protection officer revoked has no right to appeal the revocation
 29 decision.

30 10. The director of the department of public safety shall maintain a listing of all persons designated
 31 by school districts as school protection officers and shall make this list available to all law enforcement
 32 agencies.

33 11. Before a school district may designate a teacher ~~[or]~~, administrator, or other designated school
 34 personnel as a school protection officer, the school board shall hold a public hearing on whether to allow such
 35 designation. Notice of the hearing shall be published at least fifteen days before the date of the hearing in a
 36 newspaper of general circulation within the city or county in which the school district is located. The board
 37 may determine at a closed meeting, as "closed meeting" is defined under section 610.010, whether to
 38 authorize the designated school protection officer to carry a concealed firearm or a self-defense spray
 39 device."; and

Further amend said bill, Pages 4 to 5, Section 160.771, Lines 7 to 23, by deleting all of the said lines and inserting in lieu thereof the following:

"(3) "Crime", the crimes listed in section 160.261.

3. Beginning in the 2024 -25 school year, every public school district and charter school's antibullying policy, required under section 160.775, shall include a statement that requires the administration, when determining disciplinary action for a pupil who has committed an act of school violence or exhibited violent behavior, to take into account if such act of school violence or violent behavior was committed in self-defense as an immediate response to an act of school violence or violent behavior committed against such pupil.

4. (1) Any school district employee or volunteer may, in the course of fulfilling duties or performing services for such school district, intervene in an incident involving an act of school violence, violent behavior, or crime committed against a pupil who is a victim of bullying to protect such pupil.

(2) Any such school district employee or volunteer shall be held harmless and immune from any liability for actions described in subdivision (1) of this subsection if:

(a) In the course of intervening in such incident, such employee or volunteer follows a proper procedure for such interventions adopted by the school board of such school district; or

(b) Such employee or volunteer intervenes in good faith and in a manner that such employee or volunteer reasonably believes is afforded the defense of justification under chapter 563."; and

Further amend said bill, Page 24, Section 162.1250, Line 70, by inserting after all of the said section and line the following:

"163.011. As used in this chapter unless the context requires otherwise:

(1) "Adjusted operating levy", the sum of tax rates for the current year for teachers' and incidental funds for a school district as reported to the proper officer of each county pursuant to section 164.011;

(2) "Average daily attendance", the quotient or the sum of the quotients obtained by dividing the total number of hours attended in a term by resident pupils between the ages of five and twenty-one by the actual number of hours school was in session in that term. To the average daily attendance of the following school term shall be added the full-time equivalent average daily attendance of summer school students. "Full-time equivalent average daily attendance of summer school students" shall be computed by dividing the total number of hours, except for physical education hours that do not count as credit toward graduation for students in grades nine, ten, eleven, and twelve, attended by all summer school pupils by the number of hours required in section 160.011 in the school term. For purposes of determining average daily attendance under this subdivision, the term "resident pupil" shall include all children between the ages of five and twenty-one who are residents of the school district and who are attending kindergarten through grade twelve in such district. If a child is attending school in a district other than the district of residence and the child's parent is teaching in the school district or is a regular employee of the school district which the child is attending, then

1 such child shall be considered a resident pupil of the school district which the child is attending for such
 2 period of time when the district of residence is not otherwise liable for tuition. Average daily attendance for
 3 students below the age of five years for which a school district may receive state aid based on such
 4 attendance shall be computed as regular school term attendance unless otherwise provided by law;

5 (3) "Current operating expenditures":

6 (a) For the fiscal year 2007 calculation, "current operating expenditures" shall be calculated using
 7 data from fiscal year 2004 and shall be calculated as all expenditures for instruction and support services
 8 except capital outlay and debt service expenditures minus the revenue from federal categorical sources; food
 9 service; student activities; categorical payments for transportation costs pursuant to section 163.161; state
 10 reimbursements for early childhood special education; the career ladder entitlement for the district, as
 11 provided for in sections 168.500 to 168.515; the vocational education entitlement for the district, as provided
 12 for in section 167.332; and payments from other districts;

13 (b) In every fiscal year ~~[subsequent to fiscal year 2007]~~ from 2008 to 2024, current operating
 14 expenditures shall be the amount in paragraph (a) of this subdivision plus any increases in state funding
 15 pursuant to sections 163.031 and 163.043 subsequent to fiscal year 2005, not to exceed five percent, per
 16 recalculation, of the state revenue received by a district in the 2004-05 school year from the foundation
 17 formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments for
 18 any district from the first preceding calculation of the state adequacy target;

19 (c) a. In fiscal years 2025 and 2026, current operating expenditures shall be the amount in paragraph
 20 (a) of this subdivision plus any increases in state funding under sections 163.031 and 163.043 subsequent to
 21 fiscal year 2005, not to exceed six percent, per recalculation, of the state revenue received by a district in the
 22 2004-05 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair
 23 share, and free textbook payments for any district from the first preceding calculation of the state adequacy
 24 target;

25 b. In fiscal years 2027 and 2028, current operating expenditures shall be the amount in paragraph (a)
 26 of this subdivision plus any increases in state funding under sections 163.031 and 163.043 subsequent to
 27 fiscal year 2005, not to exceed seven percent, per recalculation, of the state revenue received by a district in
 28 the 2004-05 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid,
 29 fair share, and free textbook payments for any district from the first preceding calculation of the state
 30 adequacy target;

31 c. In fiscal years 2029 and 2030, current operating expenditures shall be the amount in paragraph (a)
 32 of this subdivision plus any increases in state funding under sections 163.031 and 163.043 subsequent to
 33 fiscal year 2005, not to exceed eight percent, per recalculation, of the state revenue received by a district in
 34 the 2004-05 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid,
 35 fair share, and free textbook payments for any district from the first preceding calculation of the state
 36 adequacy target;

37 d. In fiscal years 2031 and 2032, and in all subsequent biennial fiscal years, current operating
 38 expenditures shall be the amount in paragraph (a) of this subdivision plus any increases in state funding under
 39 sections 163.031 and 163.043 subsequent to fiscal year 2005, not to exceed nine percent, per recalculation, of

1 the state revenue received by a district in the 2004-05 school year from the foundation formula, line 14,
 2 gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments for any district from
 3 the first preceding calculation of the state adequacy target. Reimbursements of any increased costs incurred
 4 as a result of the calculation required under this paragraph in fiscal year 2033 and any subsequent fiscal year
 5 shall be subject to appropriations;

6 (4) "District's tax rate ceiling", the highest tax rate ceiling in effect subsequent to the 1980 tax year
 7 or any subsequent year. Such tax rate ceiling shall not contain any tax levy for debt service;

8 (5) "Dollar-value modifier", an index of the relative purchasing power of a dollar, calculated as one
 9 plus fifteen percent of the difference of the regional wage ratio minus one, provided that the dollar value
 10 modifier shall not be applied at a rate less than 1.0. As used in this subdivision, the following terms mean:

11 (a) "County wage per job", the total county wage and salary disbursements divided by the total
 12 county wage and salary employment for each county and the City of St. Louis as reported by the Bureau of
 13 Economic Analysis of the United States Department of Commerce for the fourth year preceding the payment
 14 year;

15 (b) "Regional wage per job":

16 a. The total Missouri wage and salary disbursements of the metropolitan area as defined by the
 17 Office of Management and Budget divided by the total Missouri metropolitan wage and salary employment
 18 for the metropolitan area for the county signified in the school district number or the City of St. Louis, as
 19 reported by the Bureau of Economic Analysis of the United States Department of Commerce for the fourth
 20 year preceding the payment year and recalculated upon every decennial census to incorporate counties that
 21 are newly added to the description of metropolitan areas; or if no such metropolitan area is established, then:

22 b. The total Missouri wage and salary disbursements of the micropolitan area as defined by the
 23 Office of Management and Budget divided by the total Missouri micropolitan wage and salary employment
 24 for the micropolitan area for the county signified in the school district number, as reported by the Bureau of
 25 Economic Analysis of the United States Department of Commerce for the fourth year preceding the payment
 26 year, if a micropolitan area for such county has been established and recalculated upon every decennial
 27 census to incorporate counties that are newly added to the description of micropolitan areas; or

28 c. If a county is not part of a metropolitan or micropolitan area as established by the Office of
 29 Management and Budget, then the county wage per job, as defined in paragraph (a) of this subdivision, shall
 30 be used for the school district, as signified by the school district number;

31 (c) "Regional wage ratio", the ratio of the regional wage per job divided by the state median wage
 32 per job;

33 (d) "State median wage per job", the fifty-eighth highest county wage per job;

34 (6) "Free and reduced price lunch pupil count", for school districts not eligible for and those that do
 35 not choose the USDA Community Eligibility Option, the number of pupils eligible for free and reduced price
 36 lunch on the last Wednesday in January for the preceding school year who were enrolled as students of the
 37 district, as approved by the department in accordance with applicable federal regulations. For eligible school
 38 districts that choose the USDA Community Eligibility Option, the free and reduced price lunch pupil count
 39 shall be the percentage of free and reduced price lunch students calculated as eligible on the last Wednesday

1 in January of the most recent school year that included household applications to determine free and reduced
2 price lunch count multiplied by the district's average daily attendance figure;

3 (7) "Free and reduced price lunch threshold" shall be calculated by dividing the total free and
4 reduced price lunch pupil count of every performance district that falls entirely above the bottom five percent
5 and entirely below the top five percent of average daily attendance, when such districts are rank-ordered
6 based on their current operating expenditures per average daily attendance, by the total average daily
7 attendance of all included performance districts;

8 (8) "Limited English proficiency pupil count", the number in the preceding school year of pupils
9 aged three through twenty-one enrolled or preparing to enroll in an elementary school or secondary school
10 who were not born in the United States or whose native language is a language other than English or are
11 Native American or Alaskan native, or a native resident of the outlying areas, and come from an environment
12 where a language other than English has had a significant impact on such individuals' level of English
13 language proficiency, or are migratory, whose native language is a language other than English, and who
14 come from an environment where a language other than English is dominant; and have difficulties in
15 speaking, reading, writing, or understanding the English language sufficient to deny such individuals the
16 ability to meet the state's proficient level of achievement on state assessments described in Public Law [407-
17 40] 107-110, the ability to achieve successfully in classrooms where the language of instruction is English, or
18 the opportunity to participate fully in society;

19 (9) "Limited English proficiency threshold" shall be calculated by dividing the total limited English
20 proficiency pupil count of every performance district that falls entirely above the bottom five percent and
21 entirely below the top five percent of average daily attendance, when such districts are rank-ordered based on
22 their current operating expenditures per average daily attendance, by the total average daily attendance of all
23 included performance districts;

24 (10) "Local effort":

25 (a) For the fiscal year 2007 calculation, "local effort" shall be computed as the equalized assessed
26 valuation of the property of a school district in calendar year 2004 divided by one hundred and multiplied by
27 the performance levy less the percentage retained by the county assessor and collector plus one hundred
28 percent of the amount received in fiscal year 2005 for school purposes from intangible taxes, fines, escheats,
29 payments in lieu of taxes and receipts from state-assessed railroad and utility tax, one hundred percent of the
30 amount received for school purposes pursuant to the merchants' and manufacturers' taxes under sections
31 150.010 to 150.370, one hundred percent of the amounts received for school purposes from federal properties
32 under sections 12.070 and 12.080 except when such amounts are used in the calculation of federal impact aid
33 pursuant to P.L. 81-874, fifty percent of Proposition C revenues received for school purposes from the school
34 district trust fund under section 163.087, and one hundred percent of any local earnings or income taxes
35 received by the district for school purposes. Under this paragraph, for a special district established under
36 sections 162.815 to 162.940 in a county with a charter form of government and with more than one million
37 inhabitants, a tax levy of zero shall be utilized in lieu of the performance levy for the special school district;

38 (b) In every year subsequent to fiscal year 2007, "local effort" shall be the amount calculated under
39 paragraph (a) of this subdivision plus any increase in the amount received for school purposes from fines. If

a district's assessed valuation has decreased subsequent to the calculation outlined in paragraph (a) of this subdivision, the district's local effort shall be calculated using the district's current assessed valuation in lieu of the assessed valuation utilized in the calculation outlined in paragraph (a) of this subdivision. When a change in a school district's boundary lines occurs because of a boundary line change, annexation, attachment, consolidation, reorganization, or dissolution under section 162.071, 162.081, sections 162.171 to 162.201, section 162.221, 162.223, 162.431, 162.441, or 162.451, or in the event that a school district assumes any territory from a district that ceases to exist for any reason, the department of elementary and secondary education shall make a proper adjustment to each affected district's local effort, so that each district's local effort figure conforms to the new boundary lines of the district. The department shall compute the local effort figure by applying the calendar year 2004 assessed valuation data to the new land areas resulting from the boundary line change, annexation, attachment, consolidation, reorganization, or dissolution and otherwise follow the procedures described in this subdivision;

(11) "Membership" shall be the average of:

(a) The number of resident full-time students and the full-time equivalent number of part-time students who were enrolled in the public schools of the district on the last Wednesday in September of the previous year and who were in attendance one day or more during the preceding ten school days; and

(b) The number of resident full-time students and the full-time equivalent number of part-time students who were enrolled in the public schools of the district on the last Wednesday in January of the previous year and who were in attendance one day or more during the preceding ten school days, plus the full-time equivalent number of summer school pupils. "Full-time equivalent number of part-time students" is determined by dividing the total number of hours for which all part-time students are enrolled by the number of hours in the school term. "Full-time equivalent number of summer school pupils" is determined by dividing the total number of hours for which all summer school pupils were enrolled by the number of hours required pursuant to section 160.011 in the school term. Only students eligible to be counted for average daily attendance shall be counted for membership;

(12) "Operating levy for school purposes", the sum of tax rates levied for teachers' and incidental funds plus the operating levy or sales tax equivalent pursuant to section 162.1100 of any transitional school district containing the school district, in the payment year, not including any equalized operating levy for school purposes levied by a special school district in which the district is located;

(13) "Performance district", any district that has met performance standards and indicators as established by the department of elementary and secondary education for purposes of accreditation under section 161.092 and as reported on the final annual performance report for that district each year; for calculations to be utilized for payments in fiscal years subsequent to fiscal year 2018, the number of performance districts shall not exceed twenty-five percent of all public school districts;

(14) "Performance levy", three dollars and forty-three cents;

(15) "School purposes" pertains to teachers' and incidental funds;

(16) "Special education pupil count", the number of public school students with a current individualized education program or services plan and receiving services from the resident district as of December first of the preceding school year, except for special education services provided through a school

1 district established under sections 162.815 to 162.940 in a county with a charter form of government and with
 2 more than one million inhabitants, in which case the sum of the students in each district within the county
 3 exceeding the special education threshold of each respective district within the county shall be counted within
 4 the special district and not in the district of residence for purposes of distributing the state aid derived from
 5 the special education pupil count;

6 (17) "Special education threshold" shall be calculated by dividing the total special education pupil
 7 count of every performance district that falls entirely above the bottom five percent and entirely below the top
 8 five percent of average daily attendance, when such districts are rank-ordered based on their current operating
 9 expenditures per average daily attendance, by the total average daily attendance of all included performance
 10 districts;

11 (18) "State adequacy target", the sum of the current operating expenditures of every performance
 12 district that falls entirely above the bottom five percent and entirely below the top five percent of average
 13 daily attendance, when such districts are rank-ordered based on their current operating expenditures per
 14 average daily attendance, divided by the total average daily attendance of all included performance districts.
 15 The department of elementary and secondary education shall first calculate the state adequacy target for fiscal
 16 year 2007 and recalculate the state adequacy target every two years using the most current available data.
 17 The recalculation shall never result in a decrease from the state adequacy target as calculated for fiscal years
 18 2017 and 2018 and any state adequacy target figure calculated subsequent to fiscal year 2018. Should a
 19 recalculation result in an increase in the state adequacy target amount, fifty percent of that increase shall be
 20 included in the state adequacy target amount in the year of recalculation, and fifty percent of that increase
 21 shall be included in the state adequacy target amount in the subsequent year. The state adequacy target may
 22 be adjusted to accommodate available appropriations as provided in subsection 7 of section 163.031;

23 (19) "Teacher", any teacher, teacher-secretary, substitute teacher, supervisor, principal, supervising
 24 principal, superintendent or assistant superintendent, school nurse, social worker, counselor or librarian who
 25 shall, regularly, teach or be employed for no higher than grade twelve more than one-half time in the public
 26 schools and who is certified under the laws governing the certification of teachers in Missouri;

27 (20) "Weighted average daily attendance", the average daily attendance plus the product of [~~twenty-~~
 28 ~~five hundredths~~] three-tenths multiplied by the free and reduced price lunch pupil count that exceeds the free
 29 and reduced price lunch threshold, plus the [~~product of seventy-five hundredths multiplied by the~~] number of
 30 the special education pupil count that exceeds the special education threshold, plus the product of six-tenths
 31 multiplied by the number of limited English proficiency pupil count that exceeds the limited English
 32 proficiency threshold, plus the product of fifteen-hundredths multiplied by the number of pupils who are
 33 homeless children and youths as defined in 42 U.S.C. 11434a. For special districts established under sections
 34 162.815 to 162.940 in a county with a charter form of government and with more than one million
 35 inhabitants, weighted average daily attendance shall be the average daily attendance plus the product of
 36 [~~twenty-five hundredths~~] three-tenths multiplied by the free and reduced price lunch pupil count that exceeds
 37 the free and reduced price lunch threshold, plus the [~~product of seventy-five hundredths multiplied by the~~
 38 ~~sum~~] number of the special education pupil count that exceeds the threshold for each county district, plus the
 39 product of six-tenths multiplied by the limited English proficiency pupil count that exceeds the limited

English proficiency threshold. None of the districts comprising a special district established under sections 162.815 to 162.940 in a county with a charter form of government and with more than one million inhabitants[,] shall use any special education pupil count in calculating their weighted average daily attendance."; and

Further amend said bill, Page 26, Section 163.021, Line 78, by inserting after all of the said section and line the following:

"163.031. 1. The department of elementary and secondary education shall calculate and distribute to each school district qualified to receive state aid under section 163.021 an amount determined by multiplying the district's weighted average daily attendance by the state adequacy target, multiplying this product by the dollar value modifier for the district, and subtracting from this product the district's local effort and subtracting payments from the classroom trust fund under section 163.043.

2. Other provisions of law to the contrary notwithstanding:

(1) For districts with an average daily attendance of more than three hundred fifty in the school year preceding the payment year:

(a) For the 2008-09 school year, the state revenue per weighted average daily attendance received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the state revenue received by a district in the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the dollar value modifier, and dividing this product by the weighted average daily attendance computed for the 2005-06 school year;

(b) For each year subsequent to the 2008-09 school year, the amount shall be no less than that computed in paragraph (a) of this subdivision, multiplied by the weighted average daily attendance pursuant to section 163.036, less any increase in revenue received from the classroom trust fund under section 163.043;

(2) For districts with an average daily attendance of three hundred fifty or less in the school year preceding the payment year:

(a) For the 2008-09 school year, the state revenue received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the greater of state revenue received by a district in the 2004-05 or 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the dollar value modifier;

(b) For each year subsequent to the 2008-09 school year, the amount shall be no less than that computed in paragraph (a) of this subdivision;

(3) The department of elementary and secondary education shall make an addition in the payment amount specified in subsection 1 of this section to assure compliance with the provisions contained in this subsection.

3. School districts that meet the requirements of section 163.021 shall receive categorical add-on revenue as provided in this subsection. The categorical add-on for the district shall be the sum of: seventy-five percent of the district allowable transportation costs under section 163.161; the career ladder entitlement for the district, as provided for in sections 168.500 to 168.515; the vocational education entitlement for the district, as provided for in section 167.332; and the district educational and screening program entitlements as provided for in sections 178.691 to 178.699. The categorical add-on revenue amounts may be adjusted to accommodate available appropriations.

4. For any school district meeting the eligibility criteria for state aid as established in section 163.021, but which is considered an option district under section 163.042 and therefore receives no state aid, the commissioner of education shall present a plan to the superintendent of the school district for the waiver of rules and the duration of said waivers, in order to promote flexibility in the operations of the district and to enhance and encourage efficiency in the delivery of instructional services as provided in section 163.042.

5. (1) (a) No less than seventy-five percent of the state revenue received under the provisions of subsections 1 and 2 of this section shall be placed in the teachers' fund, and the remaining percent of such moneys shall be placed in the incidental fund. No less than seventy-five percent of one-half of the funds received from the school district trust fund distributed under section 163.087 shall be placed in the teachers' fund. One hundred percent of revenue received under the provisions of section 163.161 shall be placed in the incidental fund. One hundred percent of revenue received under the provisions of sections 168.500 to 168.515 shall be placed in the teachers' fund.

(b) Beginning in fiscal year 2025, eighty-five percent of additional revenue resulting from the percentage increase in each biennial calculation described in paragraph (c) of subdivision (3) of section 163.011 shall be placed in the teachers' fund, and the remaining percent of such moneys shall be placed in the incidental fund.

(2) A school district shall spend for certificated compensation and tuition expenditures each year:

(a) An amount equal to at least seventy-five percent of the state revenue received under the provisions of subsections 1 and 2 of this section;

(b) An amount equal to at least seventy-five percent of one-half of the funds received from the school district trust fund distributed under section 163.087 during the preceding school year; and

(c) Beginning in fiscal year 2008, as much as was spent per the second preceding year's weighted average daily attendance for certificated compensation and tuition expenditures the previous year from revenue produced by local and county tax sources in the teachers' fund, plus the amount of the incidental fund to teachers' fund transfer calculated to be local and county tax sources by dividing local and county tax sources in the incidental fund by total revenue in the incidental fund.

In the event a district fails to comply with this provision, the amount by which the district fails to spend funds as provided herein shall be deducted from the district's state revenue received under the provisions of subsections 1 and 2 of this section for the following year, provided that the state board of education may exempt a school district from this provision if the state board of education determines that circumstances warrant such exemption.

1 6. (1) If a school district's annual audit discloses that students were inappropriately identified as
2 eligible for free and reduced price lunch, special education, or limited English proficiency and the district
3 does not resolve the audit finding, the department of elementary and secondary education shall require that
4 the amount of aid paid pursuant to the weighting for free and reduced price lunch, special education, or
5 limited English proficiency in the weighted average daily attendance on the inappropriately identified pupils
6 be repaid by the district in the next school year and shall additionally impose a penalty of one hundred
7 percent of such aid paid on such pupils, which penalty shall also be paid within the next school year. Such
8 amounts may be repaid by the district through the withholding of the amount of state aid.

9 (2) In the 2017-18 school year and in each subsequent school year, if a district experiences a
10 decrease in its gifted program enrollment of twenty percent or more from the previous school year, an amount
11 equal to the product of the difference between the number of students enrolled in the gifted program in the
12 current school year and the number of students enrolled in the gifted program in the previous school year
13 multiplied by six hundred eighty dollars shall be subtracted from the district's current year payment amount.
14 The provisions of this subdivision shall apply to districts entitled to receive state aid payments under both
15 subsections 1 and 2 of this section but shall not apply to any school district with an average daily attendance
16 of three hundred fifty or less.

17 7. Notwithstanding any provision of law to the contrary, in any fiscal year during which the total
18 formula appropriation is insufficient to fully fund the entitlement calculation of this section, the department of
19 elementary and secondary education shall adjust the state adequacy target in order to accommodate the
20 appropriation level for the given fiscal year. In no manner shall any payment modification be rendered for
21 any district qualified to receive payments under subsection 2 of this section based on insufficient
22 appropriations.

23 8. Notwithstanding any provision of law to the contrary, school districts that receive revenue from
24 the tax authorized under sections 148.030, 148.140, 148.620, and 148.720 shall, beginning January 1, 2020,
25 and every January first thereafter, report the amount of said revenue received by the district to the department.
26 The department shall, based on the data submitted by the district, determine the total amount of revenue the
27 district would have received from the tax authorized under sections 148.030, 148.140, 148.620, and 148.720
28 absent the provisions of section 148.720, and remit the following amount to each applicable district not less
29 than thirty days after the conclusion of each calendar year. The amount remitted to each district shall be the
30 total of the revenue received by the district from the tax authorized under sections 148.030, 148.140, 148.620,
31 and 148.720 during the applicable calendar year times one and five thousand six hundred twenty-five ten
32 thousandths minus the total of the revenue received by the district from the tax authorized under sections
33 148.030, 148.140, 148.620, and 148.720 during the same calendar year. This payment shall be in addition to
34 payments authorized under subsections 1, 2, and 7 of this section and shall be made from the annual
35 appropriation to fund this section."; and
36

37 Further amend said bill, Page 27, Section 163.063, Line 46, by inserting after all of the said section and line
38 the following:
39

1 "163.161. 1. Any school district which makes provision for transporting pupils as provided in
 2 section 162.621 and sections 167.231 and 167.241 shall receive state aid for the ensuing year for such
 3 transportation on the basis of the cost of pupil transportation services provided the current year. A district
 4 shall receive, pursuant to section 163.031, an amount not greater than seventy-five percent of the allowable
 5 costs of providing pupil transportation services to and from school and to and from public accredited
 6 vocational courses, and shall not receive an amount per pupil greater than one hundred twenty-five percent of
 7 the state average approved cost per pupil transported the second preceding school year, except when the state
 8 board of education determines that sufficient circumstances exist to authorize amounts in excess of the one
 9 hundred twenty-five percent of the state average approved cost per pupil transported the second previous
 10 year.

11 2. The state board of education shall determine public school district route approval procedures to be
 12 used by each public school district board of education to approve all bus routes or portions of routes and
 13 determine the total miles each public school district needs for safe and cost-efficient transportation of the
 14 pupils and the state board of education shall determine allowable costs. No state aid shall be paid for the
 15 costs of transporting pupils living less than one mile from the school. However, if the state board of
 16 education determines that circumstances exist where no appreciable additional expenses are incurred in
 17 transporting pupils living less than one mile from school, such pupils may be transported without increasing
 18 or diminishing the district's entitlement to state aid for transportation.

19 3. State aid for transporting handicapped and severely handicapped students attending classes within
 20 the school district or in a nearby district under a contractual arrangement shall be paid in accordance with the
 21 provisions of section 163.031 and an amount equal to seventy-five percent of the additional cost of
 22 transporting handicapped and severely handicapped students above the average per pupil cost of transporting
 23 all students of the district shall be apportioned pursuant to section 163.031 where such special transportation
 24 is approved in advance by the department of elementary and secondary education. State aid for transportation
 25 of handicapped and severely handicapped children in a special school district shall be seventy-five percent of
 26 allowable costs as determined by the state board of education which may for sufficient reason authorize
 27 amounts in excess of one hundred twenty-five percent of the state average approved cost per pupil
 28 transported the second previous year. In no event shall state transportation aid exceed seventy-five percent of
 29 the total allowable cost of transporting all pupils eligible to be transported; provided that no district shall
 30 receive reduced reimbursement for costs of transportation of handicapped and severely handicapped children
 31 based upon inefficiency.

32 4. No state transportation aid received pursuant to section 163.031 shall be used to purchase any
 33 school bus manufactured prior to April 1, 1977, that does not meet the federal motor vehicle safety standards.

34 5. Any school district that operates magnet schools as part of a master desegregation settlement
 35 agreement shall not be considered inefficient for purposes of state aid for transportation of pupils attending
 36 such magnet schools and shall not receive a financial penalty for the magnet school transportation portion of
 37 the overall transportation budget as a result thereof.

38 163.172. 1. (1) In school year 1994-95 and thereafter until school year 2006-07, the minimum
 39 teacher's salary shall be eighteen thousand dollars. Beginning in school year 2006-07, the minimum teacher's

1 salary shall be twenty-two thousand dollars; in school year 2007-08, the minimum teacher's salary shall be
 2 twenty-three thousand dollars; in school year 2008-09, the minimum teacher's salary shall be twenty-four
 3 thousand dollars; in school year 2009-10 and ~~[thereafter]~~ in each subsequent school year through the 2023-24
 4 school year, the minimum teacher's salary shall be twenty-five thousand dollars.

5 (2) For the 2024-25 school year and in all subsequent school years, the minimum teacher's salary
 6 shall be thirty-eight thousand dollars.

7 (3) Beginning in the school year 1996-97 until school year 2006-07, for any full-time teacher with a
 8 master's degree and at least ten years' teaching experience in a public school or combination of public
 9 schools, the minimum salary shall be twenty-four thousand dollars. Beginning in the school year 2006-07,
 10 for any full-time teacher with a master's degree in an academic teaching field and at least ten years' teaching
 11 experience in a public school or combination of public schools, the minimum salary shall be thirty thousand
 12 dollars; in the 2007-08 school year such minimum salary shall be thirty-one thousand dollars; in the 2008-09
 13 school year such minimum salary shall be thirty-two thousand dollars; and in the 2009-10 school year and in
 14 each subsequent school year through the 2023-24 school year, such minimum salary shall be thirty-three
 15 thousand dollars.

16 (4) For the 2024-25 school year and in all subsequent school years, the minimum teacher's salary for
 17 any full-time teacher with a master's degree in an academic teaching field directly related to the teacher's
 18 assignment and at least ten years' teaching experience in a public school or combination of public schools
 19 shall be as follows:

20 (a) In the 2024-25 school year, forty-four thousand dollars;

21 (b) In the 2025-26 school year, forty-five thousand dollars; and

22 (c) In the 2026-27 school year and in all subsequent school years, forty-six thousand dollars.

23 2. Beginning with the budget requests for fiscal year 1991, the commissioner of education shall
 24 present to the appropriate committees of the general assembly information on the average Missouri teacher's
 25 salary, regional average salary data, and national average salary data.

26 3. All school salary information shall be public information.

27 4. As used in this section, the term "salary" shall be defined as the salary figure which appears on the
 28 teacher's contract and as determined by the local school district's basic salary schedule and does not include
 29 supplements for extra duties.

30 5. The minimum salary for any fully certificated teacher employed on a less than full-time basis by a
 31 school district, state school for the severely handicapped, the Missouri School for the Deaf, or the Missouri
 32 School for the Blind shall be prorated to reflect the amounts provided in subsection 1 of this section.

33 6. (1) There is hereby created in the state treasury the "Teacher Baseline Salary Grant Fund", which
 34 shall consist of moneys appropriated under subsection 7 of this section. The state treasurer shall be custodian
 35 of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements.
 36 The fund shall be a dedicated fund and, upon appropriation, moneys in this fund shall be used solely to
 37 increase minimum teacher's salaries as provided in this section.

38 (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the
 39 fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

7. (1) There is hereby created the "Teacher Baseline Salary Grant" program. The general assembly may appropriate amounts to the teacher baseline salary grant fund created in subsection 6 of this section. The total amount appropriated to such fund shall not exceed the amount necessary to assist each school district in increasing minimum teacher's salaries to the minimum amount as required under this section.

(2) For the 2024-25, 2025-26, and 2026-27 school years and subject to the appropriation of moneys to the teacher baseline salary grant fund, each school district may apply to the department of elementary and secondary education for a grant of moneys from the teacher baseline salary grant fund to assist such district in increasing minimum teacher's salaries as required under this section.

(3) Moneys granted to a school district under this subsection shall not exceed seventy percent of the amount necessary for such district to increase minimum teacher's salaries as required under this section. The remaining thirty percent of the amount necessary for such district to increase minimum teacher's salaries as required under this section shall be allocated by such district from local effort moneys received as calculated under this chapter.

(4) No grant shall be made from the teacher baseline salary grant fund after June 30, 2027.

8. Subsections 6 and 7 of this section shall expire on December 31, 2027."; and

Further amend said bill, Page 29, Section 167.019, Line 33, by inserting after all of the said section and line the following:

"167.020. 1. As used in this section, the term "homeless child" or "homeless youth" shall mean a person less than twenty-one years of age who lacks a fixed, regular and adequate nighttime residence, including a child or youth who:

(1) Is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; is living in motels, hotels, or camping grounds due to lack of alternative adequate accommodations; is living in emergency or transitional shelters; is abandoned in hospitals; or is awaiting foster care placement;

(2) Has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;

(3) Is living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(4) Is a migratory child or youth who qualifies as homeless because the child or youth is living in circumstances described in subdivisions (1) to (3) of this subsection.

2. (1) In order to register a pupil, the pupil or the parent or legal guardian of the pupil ~~or the pupil himself or herself~~ shall provide, at the time of registration, one of the following:

~~[(1)]~~ (a) Proof of residency in the district. Except as otherwise provided in section 167.151, the term "residency" shall mean that a person both physically resides within a school district and is domiciled within that district or, in the case of a private school student suspected of having a disability under the Individuals With Disabilities Education Act, 20 U.S.C. Section ~~[1412,]~~ 1411 et seq., as amended, that the student attends

private school within that district. The domicile of a minor child shall be the domicile of a parent, military guardian pursuant to a military-issued guardianship or court-appointed legal guardian. For instances in which the family of a student living in Missouri co-locates to live with other family members or live in a military family support community because one or both of the child's parents are stationed or deployed out of state or deployed within Missouri under active duty orders under Title 10 or Title 32 of the United States Code, the student may attend the school district in which the family member's residence or family support community is located. If the active duty orders expire during the school year, the student may finish the school year in that district;

~~[(2)]~~ (b) Proof that the person registering the student has requested a waiver under subsection 3 of this section within the last forty-five days; or

~~[(3)]~~ (c) Proof that one or both of the child's parents are being relocated to the state of Missouri under military orders.

(2) In instances where there is reason to suspect that admission of the pupil will create an immediate danger to the safety of other pupils and employees of the district, the superintendent or the superintendent's designee may convene a hearing within five working days of the request to register and determine whether or not the pupil may register.

3. Any person subject to the requirements of subsection 2 of this section may request a waiver from the district board of any of those requirements on the basis of hardship or good cause. Under no circumstances shall athletic ability be a valid basis of hardship or good cause for the issuance of a waiver of the requirements of subsection 2 of this section. The district board or committee of the board appointed by the president and which shall have full authority to act in lieu of the board shall convene a hearing as soon as possible, but no later than forty-five days after receipt of the waiver request made under this subsection or the waiver request shall be granted. The district board or committee of the board may grant the request for a waiver of any requirement of subsection 2 of this section. The district board or committee of the board may also reject the request for a waiver in which case the pupil shall not be allowed to register. Any person aggrieved by a decision of a district board or committee of the board on a request for a waiver under this subsection may appeal such decision to the circuit court in the county where the school district is located.

4. Any person who knowingly submits false information to satisfy any requirement of subsection 2 of this section is guilty of a class A misdemeanor.

5. In addition to any other penalties authorized by law, a district board may file a civil action to recover, from the parent, military guardian or legal guardian of the pupil, the costs of school attendance for any pupil who was enrolled at a school in the district and whose parent, military guardian or legal guardian filed false information to satisfy any requirement of subsection 2 of this section.

6. Subsection 2 of this section shall not apply to a pupil who is a homeless child or youth, or a pupil attending a school not in the pupil's district of residence as a participant in an interdistrict transfer program established under a court-ordered desegregation program, a pupil who is a ward of the state and has been placed in a residential care facility by state officials, a pupil who has been placed in a residential care facility due to a mental illness or developmental disability, a pupil attending a school pursuant to sections 167.121 and 167.151 or sections 167.1200 to 167.1230, a pupil placed in a residential facility by a juvenile court, a

pupil with a disability identified under state eligibility criteria if the student is in the district for reasons other than accessing the district's educational program, or a pupil attending a regional or cooperative alternative education program or an alternative education program on a contractual basis.

7. Within two business days of enrolling a pupil, the school official enrolling a pupil, including any special education pupil, shall request those records required by district policy for student transfer and those discipline records required by subsection 9 of section 160.261 from all schools previously attended by the pupil within the last twelve months. Any school district that receives a request for such records from another school district enrolling a pupil that had previously attended a school in such district shall respond to such request within five business days of receiving the request. School districts may report or disclose education records to law enforcement and juvenile justice authorities if the disclosure concerns law enforcement's or juvenile justice authorities' ability to effectively serve, prior to adjudication, the student whose records are released. The officials and authorities to whom such information is disclosed must comply with applicable restrictions set forth in 20 U.S.C. Section 1232g(b)(1)(E), as amended.

8. If one or both of a child's parents are being relocated to the state of Missouri under military orders, a school district shall allow remote registration of the student and shall not require the student or the parent or legal guardian of the student ~~[or the student himself or herself]~~ to physically appear at a location within the district to register the student. Proof of residency, as described in this section, shall not be required at the time of the remote registration but shall be required within ten days of the student's attendance in the school district."; and

Further amend said bill, Page 35, Section 167.126, Line 72, by inserting after all of the said section and line the following:

"167.151. 1. The school board of any district, in its discretion, may admit to the school pupils not entitled to free instruction and prescribe the tuition fee to be paid by them, except as provided in subdivision (2) of subsection 3 of this section ~~[and in]~~; sections 167.121, 167.131, 167.132, and 167.895; and sections 167.1200 to 167.1230.

2. Orphan children, children with only one parent living, and children whose parents do not contribute to their support-if the children are between the ages of six and twenty years and are unable to pay tuition-may attend the schools of any district in the state in which they have a permanent or temporary home without paying a tuition fee.

3. (1) For all school years ending on or before June 30, 2023, any individual who pays a school tax in any other district than that in which such individual resides may send such individual's children to any public school in the district in which the tax is paid and receive as a credit on the amount charged for tuition the amount of the school tax paid to the district; except that any individual who owns real estate of which eighty acres or more are used for agricultural purposes and upon which such individual's residence is situated may send such individual's children to public school in any school district in which a part of such real estate, contiguous to that upon which such individual's residence is situated, lies and shall not be charged tuition therefor; so long as thirty-five percent of the real estate is located in the school district of choice. The school

1 district of choice shall count the children in its average daily attendance for the purpose of distribution of
2 state aid through the foundation formula.

3 (2) For all school years beginning on or after July 1, 2023, any current owner of residential real
4 property or agricultural real property or a named beneficiary of a trust that currently owns residential real
5 property or agricultural real property and that pays a school tax in a district or districts other than the district
6 in which such current owner or current beneficiary resides may send up to four of such owner's or
7 beneficiary's children to a public school, excluding a charter school, in any district in which such owner or
8 trust pays such school tax. For purposes of this subdivision, "residential real property" shall not include any
9 multifamily residential property which exceeds four units. An owner or a named beneficiary of a trust that
10 currently owns residential real property shall not be permitted under this subdivision to send their child to a
11 district outside of the county in which they currently reside. Such owner or beneficiary shall send thirty days'
12 written notice to all school districts involved specifying which school district each child will attend. Such
13 owner or beneficiary shall also present proof of the owner's or trust's annual payment of at least two thousand
14 dollars of school taxes levied on the real property specified in this subdivision within such school district and
15 ownership of the specified real property for not less than the immediately preceding four consecutive years.
16 Neither the resident nor nonresident districts shall be responsible for providing transportation services under
17 this subdivision. The school district attended shall count a child attending under this subdivision in its
18 average daily attendance for the purpose of distribution of state aid under chapter 163, except that such
19 nonresident students shall not be counted in the district's average daily attendance for the purposes of
20 determining eligibility for aid payments under section 163.044.

21 4. For any school year ending on or before June 30, 2023, any owner of agricultural land who,
22 pursuant to subsection 3 of this section, has the option of sending ~~[his]~~ such individual's children to the public
23 schools of more than one district shall exercise such option as provided in this subsection. Such person shall
24 send written notice to all school districts involved specifying to which school district ~~[his]~~ such individual's
25 children will attend by June thirtieth in which such a school year begins. If notification is not received, such
26 children shall attend the school in which the majority of ~~[his]~~ such individual's property lies. Such person
27 shall not send any of ~~[his]~~ such individual's children to the public schools of any district other than the one to
28 which ~~[he]~~ such individual has sent notice pursuant to this subsection in that school year or in which the
29 majority of ~~[his]~~ such individual's property lies without paying tuition to such school district.

30 5. If a pupil is attending school in a district other than the district of residence and the pupil's parent
31 is teaching in the school district or is a regular employee of the school district which the pupil is attending,
32 then the district in which the pupil attends school shall allow the pupil to attend school upon payment of
33 tuition in the same manner in which the district allows other pupils not entitled to free instruction to attend
34 school in the district. The provisions of this subsection shall apply only to pupils attending school in a
35 district which has an enrollment in excess of thirteen thousand pupils and not in excess of fifteen thousand
36 pupils and which district is located in a county with a charter form of government which has a population in
37 excess of six hundred thousand persons and not in excess of nine hundred thousand persons."; and
38

Further amend said bill, Page 39, Section 167.790, Line 82, by inserting after all of the said section and line the following:

"167.1200. 1. Sections 167.1200 to 167.1230 shall be known and may be cited as the "Public School Open Enrollment Act".

2. As used in sections 167.1200 to 167.1230, the following terms mean:

(1) "Department", the department of elementary and secondary education;

(2) "Nonresident district", a school district other than a transferring student's resident district;

(3) "Parent", a transferring student's parent, guardian, or other person having custody or care of the student;

(4) "Public school", any school for elementary or secondary education that is supported and maintained from public funds and is conducted and operated within this state under the authority and supervision of a duly elected local board of education of the school district or a special administrative board appointed by the state board of education under section 162.081;

(5) "Resident district", the school district in which the transferring student resides or, in the case of a transferring student who is subject to joint legal custody or joint physical custody awarded by a court, the residence designated as the address of the student for educational purposes;

(6) "Sibling", each of two or more children having a parent in common by blood, adoption, marriage, or foster care;

(7) "Socioeconomic status", the income level of a student or the student's family, which shall be measured by whether a student or the student's family meets the financial eligibility criteria for free and reduced price meals offered under federal guidelines;

(8) "Superintendent", the superintendent of a school district or the superintendent's designee;

(9) "Transferring student", a child beginning kindergarten in the child's resident district or a public school student in kindergarten to grade twelve who immediately prior to transferring has been enrolled in and completed a full semester in a public school in the student's resident district and who transfers to a nonresident district through a public school open enrollment program under sections 167.1200 to 167.1230;

(10) "Transfer year", the school year in which a transferring student attends school in a nonresident district.

167.1205. 1. A public school open enrollment program is established to enable a child beginning kindergarten or a student in kindergarten to grade twelve to attend a school in a nonresident district subject to the limitations under section 167.1225. Such program is designed to improve quality instructional and educational programs by providing opportunities including, but not limited to, the following:

(1) Increasing parental involvement for students whose parents work in other school districts;

(2) Providing access to instructional programs and classes that are not available in the resident district; and

(3) Offering parents the opportunity to select curriculum options that align with the parents' personal beliefs.

1 2. (1) School districts shall not be required to participate in the public school open enrollment
 2 program.

3 (2) (a) Each school district shall, before December first of each year, indicate whether the district
 4 will participate in the public school open enrollment program created in sections 167.1200 to 167.1230 in the
 5 school year beginning on July first of the following year.

6 (b) If a school district participates in the public school open enrollment program, the district shall
 7 receive transferring students for the full school year in which the district participates.

8 (3) This subsection shall not be construed to prevent any student in a nonparticipating school district
 9 from transferring out of the nonparticipating district to a participating district as a transferring student.

10 (4) (a) Districts may restrict the number of students who may transfer to a nonresident district under
 11 sections 167.1200 to 167.1230 in each school year to a maximum of three percent of the previous school
 12 year's enrollment for the district.

13 (b) For the 2024-25 and 2025-26 school years, a provisionally accredited district with a school
 14 population of enrolled students between four thousand five hundred and five thousand five hundred and that
 15 is located in a county with more than seven hundred thousand but fewer than eight hundred thousand
 16 inhabitants may restrict the number of students who may transfer to a nonresident district under sections
 17 167.1200 to 167.1230.

18 3. (1) Sections 167.1200 to 167.1230 shall not be construed to require a school district to add
 19 teachers, staff, or classrooms or to in any way exceed the requirements and standards established by existing
 20 law or the nonresident district.

21 (2) Sections 167.1200 to 167.1230 shall not be construed to require a school district to provide
 22 special educational services for children with disabilities who are three years of age or older and who do not
 23 reside in the school district under section 162.700 if the nonresident district determines, as provided in the
 24 nonresident district's model policy adopted under subsection 4 of this section, that the school district is unable
 25 to provide appropriate special educational services as required under section 162.700 for a child with
 26 disabilities seeking a transfer under sections 167.1200 to 167.1230. The determination shall be made by the
 27 nonresident district after consultation with the child's resident district and any local public, private, and not-
 28 for-profit agencies that provide services for children with disabilities. The nonresident district shall make the
 29 determination before approving an application for a transfer under sections 167.1200 to 167.1230. If a
 30 determination is required under this subdivision, the child seeking the transfer shall remain enrolled in the
 31 child's resident district until such determination becomes final.

32 (3) Prior to participating in the public school open enrollment program created in sections 167.1200
 33 to 167.1230, any school district that is served by a special school district established under sections 162.670
 34 to 162.995 shall enter into an agreement with such special school district regarding finance, staffing, and
 35 other relevant items relating to any students requiring special education services prior to participating in open
 36 enrollment.

37 4. (1) The department or another entity skilled in policy development shall develop a model policy
 38 for determining the number of transfers available under section 167.1215 and establishing specific standards
 39 for acceptance and rejection of transfer applications under section 167.1227. Regardless of whether a school

1 district participates in the public school open enrollment program, the board of education of each school
 2 district shall, by resolution, adopt the model policy with any changes necessary for a particular district's
 3 needs.

4 (2) The model policy's determination of the number of transfers available shall require each school
 5 district to define the term "insufficient classroom space" for that district.

6 (3) The specific standards for acceptance and rejection of transfer applications may include, but shall
 7 not be limited to:

8 (a) The capacity of a school building, grade level, class, or program;

9 (b) The availability of classroom space in each school building;

10 (c) Any class-size limitation;

11 (d) The ratio of students to classroom teachers;

12 (e) The district's projected enrollment; and

13 (f) Any characteristics of specific programs affected by additional or fewer students attending
 14 because of transfers under the public school open enrollment program.

15 (4) The specific standards for acceptance and rejection of transfer applications shall include a
 16 statement that priority shall be given to an applicant who has a sibling who:

17 (a) Is already enrolled in the nonresident district; or

18 (b) Has made an application for enrollment in the same nonresident district.

19 (5) The specific standards for acceptance and rejection of transfer applications shall not include an
 20 applicant's:

21 (a) Academic achievement;

22 (b) Athletic or other extracurricular ability;

23 (c) Disabilities;

24 (d) English proficiency level; or

25 (e) Previous disciplinary proceedings, except that any suspension or expulsion from another district
 26 shall be included.

27 (6) A school district receiving transferring students shall not discriminate on the basis of gender,
 28 national origin, race, ethnicity, ancestry, religion, disability, or whether the student is homeless or a migrant.

29 5. A nonresident district shall:

30 (1) Accept credits toward graduation that were awarded by another district to a transferring student;
 31 and

32 (2) Award a diploma to a transferring student if the student meets the nonresident district's
 33 graduation requirements.

34 6. The superintendent for each school district shall cause the information about the public school
 35 open enrollment program to be posted on the district website and in the student handbook to inform parents
 36 of students of the:

37 (1) Availability of the program established under sections 167.1200 to 167.1230;

38 (2) Application deadline; and

39 (3) Requirements and procedures for resident and nonresident students to participate in the program.

1 7. If a student wishes to attend a school within a nonresident district that is a magnet school, an
 2 academically selective school, or a school with a competitive entrance process that has admissions
 3 requirements, the student shall furnish proof that the student meets the admissions requirements in the
 4 application described under section 167.1220.

5 8. A nonresident district may deny a transfer to a student who, in the most recent school year, has
 6 been suspended from school two or more times or who has been suspended for an act of school violence or
 7 expelled under subsection 2 of section 160.261. A student whose transfer is initially precluded under this
 8 subsection may be permitted to transfer on a provisional basis as a probationary transfer student, subject to no
 9 further disruptive behavior, upon approval of the nonresident district's superintendent.

10 9. A student who is denied a transfer under this subsection has the right to an in-person meeting with
 11 the nonresident district's superintendent. The nonresident district shall develop common standards for
 12 determining disruptive behavior that shall include, but not be limited to, criteria under section 160.261.

13 10. (1) As used in this subsection, "school days of enrollment" does not include enrollment in
 14 summer school, and "varsity" means the highest level of competition offered by one school or school district
 15 against the highest level of competition offered by an opposing school or school district.

16 (2) (a) Except as provided in this paragraph, a student who participates in open enrollment for
 17 purposes of attending a grade in grades nine to twelve in a school district other than the district of residence is
 18 ineligible to participate in interscholastic athletics for three hundred sixty-five days unless the student's case
 19 meets the standards under the following exceptions:

20 a. If the transfer does not involve undue influence and is not for athletic reasons, a student may be
 21 eligible immediately at the school of the student's choice upon first entering when:

22 (i) The student is promoted from grade six to grade seven;

23 (ii) The student is promoted from grade eight to grade nine and the student is eligible in all other
 24 respects; or

25 (iii) The student completes the highest grade in an elementary school that is not a part of a system
 26 supporting a high school and the student is eligible in all other respects; or

27 b. If a student transfers schools under circumstances that do not meet the requirements under
 28 sections 167.1200 to 167.1230, such student may be granted eligibility to participate in interscholastic
 29 athletics as hereinafter restricted if the student qualifies under the following terms and conditions:

30 (i) A student whose name has been included on a school eligibility roster at any level for a given
 31 sport during the twelve calendar months preceding the date of such transfer shall be eligible only for
 32 subvarsity competition in such sport for three hundred sixty-five days after the date of transfer. A student
 33 may have unrestricted eligibility in all other sports in which such student's name has not appeared on a school
 34 eligibility roster;

35 (ii) A student who has attended a school system that does not sponsor interscholastic athletics but
 36 who has participated in organized nonschool competition during the twelve calendar months preceding the
 37 date of such transfer shall be eligible only for subvarsity competition in such sport for three hundred sixty-
 38 five days after the date of transfer. A student may have unrestricted eligibility in all other sports in which
 39 such student did not participate; or

(iii) Eligibility may be granted as described in item (i) of this subparagraph if the athletic eligibility is approved by the principals of both the resident and nonresident districts and if there is no athletic purpose involved in the transfer. The student shall be ineligible for all sports for three hundred sixty-five days after the date of transfer if either or both principals decline to approve athletic eligibility.

(b) Nothing in this section or section 167.1210 shall prevent a statewide athletic association that provides oversight for athletic or activity eligibility for students from imposing a stricter penalty upon any transferring student who is determined to have been unduly influenced to participate in or not to participate in the public school open enrollment program outlined in sections 167.1200 to 167.1230.

167.1210. 1. A student who applies to enroll in multiple nonresident districts and accepts a public school open enrollment program transfer to a nonresident district shall accept only one such transfer per school year.

2. (1) A student who accepts a public school open enrollment program transfer to a nonresident district shall commit to attend and take all courses through the nonresident district for at least one school year. At least one course per semester shall be delivered by the nonresident district in-seat.

(2) If a transferring student returns to the student's resident district, the student's transfer shall be void and the student shall reapply if the student seeks a future public school open enrollment program transfer. No transferring student who returns to the student's resident district shall reapply for a future transfer under this subdivision until after the student has been enrolled in and completed a full school semester in a public school in the student's resident district.

3. (1) Except as otherwise provided in this subsection, a transferring student attending school in a nonresident district may complete all remaining school years in the nonresident district without reapplying each school year.

(2) A sibling of a transferring student who continues enrollment in a nonresident district may enroll in or continue enrollment in that nonresident district if the district has the capacity to accept the sibling without adding teachers, staff, or classrooms or exceeding the regulations and standards established by law or the policy of the nonresident district and the sibling has no discipline issues as described in section 167.1205.

4. (1) The transferring student or the student's parent is responsible for the transportation of the student to and from the school in the nonresident district where the student is enrolled.

(2) A nonresident district may enter into an agreement with the student's parent that the parent may transport the student to an existing bus stop location convenient to the school district if the school district has capacity available on a bus serving that location.

5. Notwithstanding the provisions of chapter 163 or federal calculations of military impact aid to the contrary, for the purposes of determining state and federal aid, a transferring student shall be counted as a resident pupil of the nonresident district in which the student is enrolled.

6. (1) (a) Notwithstanding the provisions of subsection 4 of this section to the contrary, any transferring student described in paragraph (b) of this subdivision:

a. Shall be offered transportation services provided by the nonresident district; or

b. May choose to be reimbursed by the parent public school choice fund established in section 167.1212 for the costs of transportation of the student as provided in this subsection.

(b) Paragraph (a) of this subdivision shall apply to a transferring student who transfers to any nonresident district sharing a border with the student's resident district and who:

a. Qualifies for free and reduced price meals under federal guidelines; or

b. Has transportation as a related service on such student's individualized education program (IEP).

(2) The amount of transportation costs eligible for reimbursement to such transferring student or the student's parent under subparagraph b. of paragraph (a) of subdivision (1) of this subsection shall be, rounded to the nearest dollar, the product obtained by multiplying:

(a) The number of days the student attended school in the nonresident district;

(b) The number of miles in a single round trip between the student's residence and the nonresident district's nearest existing bus stop location; and

(c) The mileage reimbursement rate of thirty-seven cents per mile.

(3) The transferring student or the student's parent shall keep a record of each instance of transporting the transferring student to and from the nonresident district's nearest existing bus stop location. Such record may be verified by the nonresident district's attendance records or in a similar manner as established by board policy.

(4) All reimbursements made under this subsection to a transferring student or the student's parent shall be made quarterly.

(5) A transferring student who transfers to a nonresident district that does not share a border with the student's resident district shall be eligible for a transfer if the student's parent enters into an agreement with the noncontiguous nonresident district that contains a statement that the parent waives both:

(a) Transportation services as described in subparagraph a. of paragraph (a) of subdivision (1) of this subsection including, but not limited to, any transportation as a related service under the student's IEP; and

(b) Reimbursement for transportation costs as described in subparagraph b. of paragraph (a) of subdivision (1) of this subsection.

(6) The provisions of this subsection shall not be construed to require a nonresident district to offer transportation services if the transportation would constitute a transportation hardship under section 167.121.

(7) Nonresident districts providing transportation services under this subsection may partner or contract with the resident district or a third-party transportation provider, or both, in providing transportation and shall also be reimbursed by the parent public school choice fund established in section 167.1212 for the actual transportation costs for the student on a quarterly basis and in a manner determined by the department.

7. Nothing in sections 167.1200 to 167.1230 shall be construed to relieve any resident district of its responsibility to pay any costs required under section 162.705 or 162.740.

167.1211. If a nonresident student receives special educational services and participates in the public school open enrollment program, the nonresident district shall receive reimbursement from the parent public school choice fund established in section 167.1212 for the costs of the special educational services for the student with an individualized education program above the state and federal funds received for educating the student. Such reimbursement shall not exceed three times the current expenditure per average daily attendance as calculated on the district annual secretary of the board report for the year in which expenditures are claimed.

167.1212. 1. There is hereby created in the state treasury the "Parent Public School Choice Fund", which shall consist of an appropriation by the general assembly of eighty million dollars and any additional appropriations made by the general assembly. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely as provided in sections 167.1200 to 167.1230.

2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. Moneys appropriated to and deposited in the fund shall be used to supplement, not supplant, state aid distributed to school districts under chapter 163 and shall be used solely to compensate school districts that participate in the public school open enrollment program established in sections 167.1200 to 167.1230.

5. The department shall annually evaluate the availability and use of moneys from the fund. If the department determines that additional moneys are needed to fulfill the purposes of this section, the department shall, as part of the legislative budget process, annually request such moneys by a specific line item appropriation.

167.1215. 1. Before December first annually, each school district shall set the number of transfer students the district is willing to receive for the following school year under sections 167.1200 to 167.1230. The district may create criteria for the acceptance of students including, but not limited to, the number of students by building, grade, classroom, or program.

2. (1) Each school district shall publish the number set under this section, notify the department of such number, and shall not be required to accept any transfer students under this section who would cause the district to exceed the published number.

(2) The school district shall report the total number of students the district is willing to receive and further delineate the number by building, grade, classroom, or program.

3. (1) Each school district shall develop a method for the formation and operation of a waiting list for applications that cannot be accepted because the number of transfers applied for exceeds the number of transfers available.

(2) Applications on the waiting list may be given priority for acceptance in the following order and may include other options for priority acceptance:

(a) Siblings of students already enrolled in the district;

(b) Children of an active duty member of the Armed Forces of the United States;

(c) Children of school district employees;

(d) Students who had previously attended school in the district but whose parents have moved out of the district; and

(e) Students whose parents present an employment circumstance for which an open enrollment transfer would be in the student's best interest.

1 (3) A parent of a student on the waiting list shall be informed by the district of the details of the
 2 operation of the list and whether the parent will be required to refile a timely application for open enrollment
 3 in order to remain on the waiting list.

4 167.1220. 1. If a student seeks to attend a school in a nonresident district under sections 167.1200 to
 5 167.1230, the student's parent shall submit an application:

6 (1) To the nonresident district, with a copy to the resident district;

7 (2) On a form approved by the department that contains the student's necessary information for
 8 enrollment in another district; and

9 (3) Postmarked before February first in the calendar year preceding the school year in which the
 10 student seeks to begin the fall semester at the nonresident district.

11 2. A nonresident district that receives an application under subsection 1 of this section shall, upon
 12 receipt of the application, place a date and time stamp on the application that reflects the date and time the
 13 nonresident district received the application.

14 3. As soon as possible after receiving an application, the superintendent of the nonresident district
 15 shall review and make a determination on each application in the order in which the application was received
 16 by the nonresident district. Before accepting or rejecting an application, the superintendent shall determine
 17 whether one of the limitations under section 167.1225 applies to the application.

18 4. The superintendent of the nonresident district may accept an application. If the superintendent
 19 rejects an application, the superintendent shall present the rejected application with the superintendent's
 20 reasons for the rejection to the school board.

21 5. (1) As used in this subsection, "good cause" means:

22 (a) A change in a student's residence due to a change in family residence;

23 (b) A change in the state in which the family residence is located;

24 (c) A change in a student's parent's marital status;

25 (d) A guardianship or custody proceeding;

26 (e) Placement in foster care;

27 (f) Adoption;

28 (g) Participation in a foreign exchange program;

29 (h) Participation in a substance abuse or mental health treatment program;

30 (i) A change in the status of a student's resident district such as removal of accreditation by the
 31 department, surrender of accreditation, or permanent closure of a nonpublic school; or

32 (j) Revocation of a charter school contract as provided in state law.

33 (2) Before February first of the calendar year preceding the school year in which the student seeks to
 34 begin the fall semester at the nonresident district but before July first of such school year, or before the first
 35 Monday in July if July first falls on a Saturday or Sunday, the parent shall send notification to the district of
 36 residence and the receiving district, on forms prescribed by the state board of education, that good cause
 37 exists for failure to meet the February first deadline. The school board of a receiving district may adopt a
 38 policy granting the superintendent the authority to approve open enrollment applications submitted after the
 39 February first deadline. The school board of the receiving district shall take action to approve the request if

1 good cause exists. If the request is granted, the school board shall transmit a copy of the form to the parent
 2 and the district of residence within five days after school board action. A denial of a request by the board of a
 3 receiving district is not subject to appeal.

4 (3) If the good cause relates to a change in status of a student's school district of residence, a parent
 5 shall file such notification within forty-five days after the last school board action or within thirty days after
 6 the certification of the election, whichever is applicable to the circumstances.

7 (4) If a resident district believes that a receiving district is violating this subsection, the resident
 8 district may, within fifteen days after school board action by the receiving district, submit an appeal to the
 9 commissioner of education.

10 (5) The commissioner of education or the commissioner's designee shall attempt to mediate the
 11 dispute to reach approval by both school boards. If approval is not reached under mediation, the
 12 commissioner shall conduct a hearing and shall hear testimony from both school boards. Within ten days
 13 following the hearing, the commissioner shall render a decision upholding or reversing the decision by the
 14 school board of the receiving district. Within five days after the commissioner's decision, the school board
 15 may appeal the decision of the commissioner to the state board of education as provided in state law.

16 6. (1) Before April first of the school year before the school year in which the student seeks to enroll
 17 in a nonresident district under sections 167.1200 to 167.1230, the nonresident district's superintendent shall
 18 notify the parent and the resident district, in writing, as to whether the student's application has been accepted
 19 or rejected. The notification shall be sent by first-class mail to the address on the application.

20 (2) If the application is rejected, the nonresident district's superintendent shall state in the
 21 notification letter the reason for the rejection.

22 (3) If the application is accepted, the nonresident district's superintendent shall state in the
 23 notification letter:

24 (a) A reasonable deadline before which the student shall enroll in the nonresident district and after
 25 which the acceptance notification is void; and

26 (b) Instructions for the procedures established by the nonresident district for renewing enrollment in
 27 the nonresident district each year.

28 (4) If the application is accepted, the nonresident district's superintendent shall notify the resident
 29 district and the department of the student's participation and shall also notify the student and the student's
 30 parent of the opportunity to participate in an anonymous survey provided by the department regarding all
 31 reasons for the student's and parent's interest in participating in the public school open enrollment program.

32 (5) The department shall publish an annual report based on the anonymous survey conducted under
 33 subdivision (4) of this subsection, at the statewide and district levels, that provides data at the statewide and
 34 district levels of sufficient detail to allow analysis of trends regarding the reasons for participation in the
 35 public school open enrollment program at the statewide, regional, and local district levels. In such annual
 36 report, the department shall also include data at the statewide and district levels of sufficient detail to allow
 37 detection and analysis of the impact of the public school open enrollment program on racial, ethnic, and
 38 socio-economic balance among schools and districts at the statewide, regional, and local district levels. No

1 such survey results published under this subsection shall be published in a manner that reveals information
 2 regarding a group of five or fewer students.

3 167.1225. 1. Any student transferring from a resident school district may participate in the public
 4 school open enrollment program under sections 167.1200 to 167.1230 if such student's transfer does not
 5 cause the district to conflict with a provision of an enforceable desegregation court order or a district's court
 6 approved desegregation plan.

7 2. (1) Any student who transfers to a nonresident district under section 167.131, sections 162.1040
 8 to 162.1061, or any section other than sections 167.1200 to 167.1230 shall not be subject to any requirements
 9 under sections 167.1200 to 167.1230.

10 (2) Districts receiving transfer students or sending transfer students to nonresident districts under
 11 section 167.131, sections 162.1040 to 162.1061, or any section other than sections 167.1200 to 167.1230
 12 shall not be subject to any requirements under sections 167.1200 to 167.1230 for those transfer students.

13 3. (1) A student transferring to a nonresident district under sections 167.1200 to 167.1230 shall not
 14 be considered a transfer student under any law relating to another transfer program or procedure that allows
 15 students to transfer out of their resident districts.

16 (2) This subdivision shall apply only to students who reside in a district that does not offer education
 17 in a grade higher than grade eight as follows:

18 (a) If such student enrolls in a nonresident district under sections 167.1200 to 167.1230 before the
 19 end of such student's fifth-grade year, the provisions of 167.1200 to 167.1230 shall apply for such student;
 20 and

21 (b) If such student does not enroll in such nonresident district before the end of such student's fifth-
 22 grade year, such student may transfer to such nonresident district during a year in which such student is in
 23 grade six, seven, or eight under sections 167.1200 to 167.1230. When such student enters grade nine, such
 24 student's resident district shall:

25 a. Compute the difference by subtracting the state adequacy target from the nonresident student
 26 tuition as calculated under section 167.131;

27 b. Pay the amount of such difference above zero to such nonresident district; and

28 c. Follow all other procedures as if such student transferred under section 167.131.

29 (3) If a student transfers under sections 167.1200 to 167.1230 to a nonresident district that does not
 30 offer education in a grade higher than grade eight, such nonresident district shall not be considered such
 31 student's resident district for any purpose after such student completes grade eight or upon such student's
 32 transfer out of such nonresident district before such student completes grade eight.

33 167.1227. 1. A student whose application for a transfer under section 167.1220 is rejected by the
 34 nonresident district may appeal to the department to reconsider the transfer.

35 2. An appeal to the department shall be in writing and shall be postmarked no later than ten calendar
 36 days, excluding weekends and legal holidays, after the student or the student's parent receives a notice of
 37 rejection of the application under section 167.1220.

1 3. Contemporaneously with the filing of the written appeal under subsection 2 of this section, the
 2 student or the student's parent shall also mail a copy of the written appeal to the nonresident district's
 3 superintendent.

4 4. In the written appeal, the student or student's parent shall state the basis for appealing the decision
 5 of the nonresident district.

6 5. The student or the student's parent shall submit, along with the written appeal, a copy of the notice
 7 of rejection from the nonresident district.

8 6. As part of the review process, the student or student's parent may submit supporting
 9 documentation that the transfer would be in the best educational, health, social, or psychological interest of
 10 the student.

11 7. The nonresident district may submit in writing any additional information, evidence, or arguments
 12 supporting the district's rejection of the student's application by mailing such response to the department.
 13 Such response shall be postmarked no later than ten days after the nonresident district receives the student's
 14 or parent's appeal.

15 8. Contemporaneously with the filing of its response under subsection 7 of this section, the
 16 nonresident district shall also mail a copy of the response to the student or student's parent.

17 9. If the department overturns the determination of the nonresident district on appeal, the department
 18 shall notify the parent, the nonresident district, and the resident district of the basis for the department's
 19 decision.

20 167.1229. 1. (1) The department shall collect data from school districts on the number of
 21 applications for student transfers under sections 167.1200 to 167.1230 and study the effects of public school
 22 open enrollment program transfers under sections 167.1200 to 167.1230.

23 (2) Annually before December first, the department shall report the department's findings from the
 24 study of the data under subdivision (1) of this subsection to:

25 (a) The joint committee on education or any successor committee;

26 (b) The house committee on elementary and secondary education or any other education committee
 27 designated by the speaker of the house of representatives; and

28 (c) The senate committee on education or any other education committee designated by the president
 29 pro tempore of the senate.

30 2. The department shall annually make a random selection of ten percent of the school districts
 31 participating in the public school open enrollment program under sections 167.1200 to 167.1230. The
 32 department shall audit each selected school district's transfers approved or denied under policies adopted by
 33 the school board under sections 167.1200 to 167.1230. If the department determines that a selected school
 34 district is improperly implementing and administering the transfer process established under sections
 35 167.1200 to 167.1230, the department may withhold any state aid provided to the school district under
 36 chapter 163 until the school district corrects the transfer process improprieties identified by the department's
 37 audit.

167.1230. 1. In any school year for which the moneys in the parent public school choice fund do not equal or exceed the amount necessary to provide for projected eligible reimbursements from the parent public school choice fund the following shall apply:

(1) School districts may make modifications to the school district's policy for open enrollment under sections 167.1200 to 167.1230 to make such reasonable adjustments necessary to ensure sufficient classroom space;

(2) All eligible transferring students enrolled in a nonresident district under sections 167.1200 to 167.1230 may remain in such nonresident district;

(3) All transportation costs for such eligible transferring students that had been reimbursable under subsection 6 of section 167.1210 from the parent public school choice fund shall be considered eligible transportation expenses under section 163.161 for the nonresident district; and

(4) All nonresident districts that received reimbursement for nonresident students who received special education services under 167.1211 from the parent public school choice fund shall add to the nonresident district's calculation of weighted average daily attendance for such student an additional twenty-five hundredths per such nonresident student.

2. No student shall be enrolled under sections 167.1200 to 167.1230 before July 1, 2024.

168.110. 1. As used in this section, the following terms mean:

(1) "Hard-to-staff schools", attendance centers where the percentage of certificated positions in the attendance center that were left vacant or were filled with a teacher not fully qualified in the prior academic year exceeds five percent as reported to the department of elementary and secondary education;

(2) "Hard-to-staff subject areas", content areas for which positions were left vacant or were filled with a teacher not fully qualified in the prior academic year as reported to the department of elementary and secondary education.

2. The board of education of a school district may modify an indefinite contract annually on or before the fifteenth day of May in the following particulars:

(1) Determination of the date of beginning and length of the next school year;

(2) Fixing the amount of annual compensation for the following school year as provided by the salary schedule adopted by the board of education applicable to all teachers.

3. The board of education of a school district may include differentiated placement of teachers on the salary schedule to increase compensation in order to recruit and retain teachers in hard-to-staff subject areas or hard-to-staff schools. The board may annually review its hard-to-staff subject areas and hard-to-staff schools. No modifications to the identification of hard-to-staff subject areas or hard-to-staff schools, or both, for the purpose of placement on the salary schedule shall result in the demotion of a teacher in the salary schedule.

4. Any salary schedule that includes differentiated placement of teachers on the salary schedule under subsection 3 of this section for hard-to-staff subject areas or hard-to-staff schools, or both, shall be set prior to approval by such board of education.

5. The modifications shall be effective at the beginning of the next school year. All teachers affected by the modification shall be furnished written copies of the modifications within thirty days after their adoption by the board of education.

6. Each school district that includes differentiated placement of teachers on the district salary schedule shall annually provide to the department of elementary and secondary education a report containing the following information:

- (1) The salary schedule adopted by the district;
- (2) The number of positions filled by differentiated placement of teachers for hard-to-staff subject areas;
- (3) The number of positions filled with differentiated placement of teachers for hard-to-staff schools;
- (4) The number of steps and additional compensation that teachers with differentiated placement received for the school year; and
- (5) Any other relevant information required by the department.

168.400. 1. Sections 168.400 to 168.415 shall be known and may be cited as the "Missouri Professional Teacher and Administrator Act". This section shall become effective September 1, 1988, and shall establish programs for the following public school personnel:

- (1) The preservice teacher or student in training;
- (2) The beginning teacher;
- (3) The practicing teacher; and
- (4) The administrator.

2. ~~[Preservice teacher programs established under this section shall include, but need not be limited to, the following provisions:~~

~~(1) A program of entry-level testing of all prospective teacher education students shall be established at all colleges and universities offering approved teacher education programs and, with the advice of the advisory council as provided in section 168.015, shall be administered by the commissioner of education, who shall cause the department of elementary and secondary education to develop or select such tests to establish abilities necessary to receive a satisfactory rating, and to establish procedures for the administering of the test;~~

~~(2) The entry-level tests developed under this subsection shall include, but need not be limited to, an examination of basic oral and written communication skills and of basic mathematics skills, and may include both oral and written examinations;~~

~~(3) Each prospective teacher education student shall be required to obtain a satisfactory rating prior to admission into the approved teacher education program;~~

(4) The department of elementary and secondary education, with the advice of the advisory council as provided in section 168.015, shall establish and monitor exit requirements from approved teacher education programs which shall be met by all preservice teacher education students seeking certification in Missouri, and specific criteria for a preservice teacher assessment that all candidates for certification shall meet. The preservice teacher assessment established under this ~~[subdivision]~~ subsection shall include, but need not be limited to, classroom achievement, practice teaching evaluation and observation, successful

1 participation in assessment centers, interviews, tests and other evaluation measures. The department of
 2 elementary and secondary education shall promulgate rules to allow all preservice teacher education students
 3 who have been employed for at least two years as teacher assistants to utilize their teacher assistant
 4 experience to bypass the practice teaching evaluation and observation process. These rules shall allow the
 5 certified teacher working with the teacher assistant to observe and evaluate the teacher assistant's practice
 6 teaching. No rule or portion of a rule promulgated pursuant to the authority of this section shall become
 7 effective unless it has been promulgated pursuant to chapter 536. The preservice teacher assessment shall be
 8 reviewed by the certifying authority prior to issuance of a certificate. An unsatisfactory assessment shall
 9 result in the nonissuance of a certificate. Persons who are aggrieved by the nonissuance of a certificate may
 10 appeal such nonissuance in the manner provided in section 168.071. Any costs associated with ~~the entry-~~
 11 ~~level tests or~~ the exit requirements established under this subsection shall be borne by each institution and
 12 costs defrayal included in the incidental fees charged to the student.

13 3. Each approved teacher education program shall require the faculty teaching preservice teacher
 14 education courses to further their professional development through direct personal involvement in the public
 15 schools in grades kindergarten through twelve on a periodic basis. As used in this subsection, the term
 16 "faculty" shall include, but need not be limited to, full- and part-time classroom instructors, and supervisors
 17 of practice teaching at institutions offering an approved teacher education program.

18 4. Beginning teacher assistance programs established under this section shall include, but need not
 19 be limited to, the following provisions:

20 (1) Such programs shall require each school district to provide a plan of professional development
 21 for the first two years of teaching for any teacher who does not have prior teaching experience. The
 22 professional development plan shall include assistance from a professional development committee, which is
 23 hereby established in each school district, which committee shall work with beginning teachers and
 24 experienced teachers in identifying instructional concerns and remedies; serve as a confidential consultant
 25 upon a teacher's request; assess faculty needs and develop in-service opportunities for school staff; and
 26 present to the proper authority faculty suggestions, ideas and recommendations pertaining to classroom
 27 instruction within the school district. The members of each professional development committee shall be
 28 selected by the teachers employed by the school district in question. The professional development plan may
 29 include guidance from a district-designated faculty member employed at a grade level comparable to the
 30 instructional grade level of the beginning teacher, and such other forms of assistance which the school district
 31 may choose to offer. The professional development committee may apply to the state board of education for
 32 a grant, which shall be in addition to any state aid provided to the committee for activities identified in this
 33 subdivision. The grant thus awarded shall be used by the committee to provide in-service training to the
 34 teachers of the district on teaching children identified as at risk of failing in school as defined in section
 35 167.273. The department of elementary and secondary education shall provide resource materials and assist
 36 the committee if such assistance is requested;

37 (2) Such programs shall include assistance from the teacher education program which provided the
 38 teacher's training if such training was provided in a Missouri college or university. Such assistance from the
 39 college or university may include retraining, internships, counseling, and in-service training.

1 5. The practicing teacher assistance programs established under this section shall include, but need
2 not be limited to, programs of professional development and improvement as provided for experienced
3 teachers by the professional development committee established under subsection 4 of this section, and in-
4 service opportunities as provided by the local school district for all practicing teachers.

5 6. (1) The administrator assistance programs established under this section shall include, but shall
6 not be limited to, programs of professional development and improvement for superintendents, principals,
7 assistant principals, and other school district personnel charged with administrative duties.

8 (2) Establishment of programs by local districts and organizations for the training of school board
9 members are encouraged and recommended.

10 169.070. 1. The retirement allowance of a member whose age at retirement is sixty years or more
11 and whose creditable service is five years or more, or whose sum of age and creditable service equals eighty
12 years or more, or who has attained age fifty-five and whose creditable service is twenty-five years or more or
13 whose creditable service is thirty years or more regardless of age, may be the sum of the following items, not
14 to exceed one hundred percent of the member's final average salary:

15 (1) Two and five-tenths percent of the member's final average salary for each year of membership
16 service;

17 (2) Six-tenths of the amount payable for a year of membership service for each year of prior service
18 not exceeding thirty years.

19
20 In lieu of the retirement allowance otherwise provided in subdivisions (1) and (2) of this subsection, a
21 member may elect to receive a retirement allowance of:

22 (3) Two and four-tenths percent of the member's final average salary for each year of membership
23 service, if the member's creditable service is twenty-nine years or more but less than thirty years, and the
24 member has not attained age fifty-five;

25 (4) Two and thirty-five-hundredths percent of the member's final average salary for each year of
26 membership service, if the member's creditable service is twenty-eight years or more but less than twenty-
27 nine years, and the member has not attained age fifty-five;

28 (5) Two and three-tenths percent of the member's final average salary for each year of membership
29 service, if the member's creditable service is twenty-seven years or more but less than twenty-eight years, and
30 the member has not attained age fifty-five;

31 (6) Two and twenty-five-hundredths percent of the member's final average salary for each year of
32 membership service, if the member's creditable service is twenty-six years or more but less than twenty-seven
33 years, and the member has not attained age fifty-five;

34 (7) Two and two-tenths percent of the member's final average salary for each year of membership
35 service, if the member's creditable service is twenty-five years or more but less than twenty-six years, and the
36 member has not attained age fifty-five;

37 (8) ~~[Between July 1, 2001, and July 1, 2014,]~~ Two and fifty-five hundredths percent of the member's
38 final average salary for each year of membership service, if the member's creditable service is ~~[thirty-one]~~
39 thirty-two years or more regardless of age.

2. In lieu of the retirement allowance provided in subsection 1 of this section, a member whose age is sixty years or more on September 28, 1975, may elect to have the member's retirement allowance calculated as a sum of the following items:

(1) Sixty cents plus one and five-tenths percent of the member's final average salary for each year of membership service;

(2) Six-tenths of the amount payable for a year of membership service for each year of prior service not exceeding thirty years;

(3) Three-fourths of one percent of the sum of subdivisions (1) and (2) of this subsection for each month of attained age in excess of sixty years but not in excess of age sixty-five.

3. (1) In lieu of the retirement allowance provided either in subsection 1 or 2 of this section, collectively called "option 1", a member whose creditable service is twenty-five years or more or who has attained the age of fifty-five with five or more years of creditable service may elect in the member's application for retirement to receive the actuarial equivalent of the member's retirement allowance in reduced monthly payments for life during retirement with the provision that:

Option 2.

Upon the member's death the reduced retirement allowance shall be continued throughout the life of and paid to such person as has an insurable interest in the life of the member as the member shall have nominated in the member's election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance will be increased to the amount the retired member would be receiving had the retired member elected option 1; or

Option 3.

Upon the death of the member three-fourths of the reduced retirement allowance shall be continued throughout the life of and paid to such person as has an insurable interest in the life of the member and as the member shall have nominated in an election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance will be increased to the amount the retired member would be receiving had the member elected option 1; or

Option 4.

Upon the death of the member one-half of the reduced retirement allowance shall be continued throughout the life of, and paid to, such person as has an insurable interest in the life of the member and as the member shall have nominated in an election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance shall be increased to the amount the retired member would be receiving had the member elected option 1; or

Option 5.

Upon the death of the member prior to the member having received one hundred twenty monthly payments of the member's reduced allowance, the remainder of the one hundred twenty monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall have nominated in the member's election of the option or in a subsequent nomination. If there is no beneficiary so nominated who survives the member for the remainder of the one hundred twenty monthly payments, the total of the remainder of such

one hundred twenty monthly payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the last person, in that order of precedence, to receive a monthly allowance in a lump sum payment. If the total of the one hundred twenty payments paid to the retired individual and the beneficiary of the retired individual is less than the total of the member's accumulated contributions, the difference shall be paid to the beneficiary in a lump sum; or

Option 6.

Upon the death of the member prior to the member having received sixty monthly payments of the member's reduced allowance, the remainder of the sixty monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall have nominated in the member's election of the option or in a subsequent nomination. If there is no beneficiary so nominated who survives the member for the remainder of the sixty monthly payments, the total of the remainder of such sixty monthly payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the last person, in that order of precedence, to receive a monthly allowance in a lump sum payment. If the total of the sixty payments paid to the retired individual and the beneficiary of the retired individual is less than the total of the member's accumulated contributions, the difference shall be paid to the beneficiary in a lump sum.

(2) The election of an option may be made only in the application for retirement and such application must be filed prior to the date on which the retirement of the member is to be effective. If either the member or the person nominated to receive the survivorship payments dies before the effective date of retirement, the option shall not be effective, provided that:

(a) If the member or a person retired on disability retirement dies after acquiring twenty-five or more years of creditable service or after attaining the age of fifty-five years and acquiring five or more years of creditable service and before retirement, except retirement with disability benefits, and the person named by the member as the member's beneficiary has an insurable interest in the life of the deceased member, the designated beneficiary may elect to receive either survivorship benefits under option 2 or a payment of the accumulated contributions of the member. If survivorship benefits under option 2 are elected and the member at the time of death would have been eligible to receive an actuarial equivalent of the member's retirement allowance, the designated beneficiary may further elect to defer the option 2 payments until the date the member would have been eligible to receive the retirement allowance provided in subsection 1 or 2 of this section;

(b) If the member or a person retired on disability retirement dies before attaining age fifty-five but after acquiring five but fewer than twenty-five years of creditable service, and the person named as the member's beneficiary has an insurable interest in the life of the deceased member, the designated beneficiary may elect to receive either a payment of the member's accumulated contributions, or survivorship benefits under option 2 to begin on the date the member would first have been eligible to receive an actuarial equivalent of the member's retirement allowance, or to begin on the date the member would first have been eligible to receive the retirement allowance provided in subsection 1 or 2 of this section.

4. If the total of the retirement or disability allowance paid to an individual before the death of the individual is less than the accumulated contributions at the time of retirement, the difference shall be paid to the beneficiary of the individual, or to the surviving spouse, surviving children in equal shares, surviving

1 parents in equal shares, or estate of the individual in that order of precedence. If an optional benefit as
2 provided in option 2, 3 or 4 in subsection 3 of this section had been elected, and the beneficiary dies after
3 receiving the optional benefit, and if the total retirement allowance paid to the retired individual and the
4 beneficiary of the retired individual is less than the total of the contributions, the difference shall be paid to
5 the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the
6 beneficiary, in that order of precedence, unless the retired individual designates a different recipient with the
7 board at or after retirement.

8 5. If a member dies and his or her financial institution is unable to accept the final payment or
9 payments due to the member, the final payment or payments shall be paid to the beneficiary of the member
10 or, if there is no beneficiary, to the surviving spouse, surviving children in equal shares, surviving parents in
11 equal shares, or estate of the member, in that order of precedence, unless otherwise stated. If the beneficiary
12 of a deceased member dies and his or her financial institution is unable to accept the final payment or
13 payments, the final payment or payments shall be paid to the surviving spouse, surviving children in equal
14 shares, surviving parents in equal shares, or estate of the member, in that order of precedence, unless
15 otherwise stated.

16 6. If a member dies before receiving a retirement allowance, the member's accumulated
17 contributions at the time of the death of the member shall be paid to the beneficiary of the member or, if there
18 is no beneficiary, to the surviving spouse, surviving children in equal shares, surviving parents in equal
19 shares, or to the estate of the member, in that order of precedence; except that, no such payment shall be
20 made if the beneficiary elects option 2 in subsection 3 of this section, unless the beneficiary dies before
21 having received benefits pursuant to that subsection equal to the accumulated contributions of the member, in
22 which case the amount of accumulated contributions in excess of the total benefits paid pursuant to that
23 subsection shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal
24 shares, or estate of the beneficiary, in that order of precedence.

25 7. If a member ceases to be a public school employee as herein defined and certifies to the board of
26 trustees that such cessation is permanent, or if the membership of the person is otherwise terminated, the
27 member shall be paid the member's accumulated contributions with interest.

28 8. Notwithstanding any provisions of sections 169.010 to 169.141 to the contrary, if a member
29 ceases to be a public school employee after acquiring five or more years of membership service in Missouri,
30 the member may at the option of the member leave the member's contributions with the retirement system
31 and claim a retirement allowance any time after reaching the minimum age for voluntary retirement. When
32 the member's claim is presented to the board, the member shall be granted an allowance as provided in
33 sections 169.010 to 169.141 on the basis of the member's age, years of service, and the provisions of the law
34 in effect at the time the member requests the member's retirement to become effective.

35 9. The retirement allowance of a member retired because of disability shall be nine-tenths of the
36 allowance to which the member's creditable service would entitle the member if the member's age were sixty,
37 or fifty percent of one-twelfth of the annual salary rate used in determining the member's contributions during
38 the last school year for which the member received a year of creditable service immediately prior to the
39 member's disability, whichever is greater, except that no such allowance shall exceed the retirement

1 allowance to which the member would have been entitled upon retirement at age sixty if the member had
2 continued to teach from the date of disability until age sixty at the same salary rate.

3 10. Notwithstanding any provisions of sections 169.010 to 169.141 to the contrary, from October 13,
4 1961, the contribution rate pursuant to sections 169.010 to 169.141 shall be multiplied by the factor of two-
5 thirds for any member of the system for whom federal Old Age and Survivors Insurance tax is paid from state
6 or local tax funds on account of the member's employment entitling the person to membership in the system.
7 The monetary benefits for a member who elected not to exercise an option to pay into the system a retroactive
8 contribution of four percent on that part of the member's annual salary rate which was in excess of four
9 thousand eight hundred dollars but not in excess of eight thousand four hundred dollars for each year of
10 employment in a position covered by this system between July 1, 1957, and July 1, 1961, as provided in
11 subsection 10 of this section as it appears in RSMo, 1969, shall be the sum of:

12 (1) For years of service prior to July 1, 1946, six-tenths of the full amount payable for years of
13 membership service;

14 (2) For years of membership service after July 1, 1946, in which the full contribution rate was paid,
15 full benefits under the formula in effect at the time of the member's retirement;

16 (3) For years of membership service after July 1, 1957, and prior to July 1, 1961, the benefits
17 provided in this section as it appears in RSMo, 1959; except that if the member has at least thirty years of
18 creditable service at retirement the member shall receive the benefit payable pursuant to that section as
19 though the member's age were sixty-five at retirement;

20 (4) For years of membership service after July 1, 1961, in which the two-thirds contribution rate was
21 paid, two-thirds of the benefits under the formula in effect at the time of the member's retirement.

22 11. The monetary benefits for each other member for whom federal Old Age and Survivors
23 Insurance tax is or was paid at any time from state or local funds on account of the member's employment
24 entitling the member to membership in the system shall be the sum of:

25 (1) For years of service prior to July 1, 1946, six-tenths of the full amount payable for years of
26 membership service;

27 (2) For years of membership service after July 1, 1946, in which the full contribution rate was paid,
28 full benefits under the formula in effect at the time of the member's retirement;

29 (3) For years of membership service after July 1, 1957, in which the two-thirds contribution rate was
30 paid, two-thirds of the benefits under the formula in effect at the time of the member's retirement.

31 12. Any retired member of the system who was retired prior to September 1, 1972, or beneficiary
32 receiving payments under option 1 or option 2 of subsection 3 of this section, as such option existed prior to
33 September 1, 1972, will be eligible to receive an increase in the retirement allowance of the member of two
34 percent for each year, or major fraction of more than one-half of a year, which the retired member has been
35 retired prior to July 1, 1975. This increased amount shall be payable commencing with January, 1976, and
36 shall thereafter be referred to as the member's retirement allowance. The increase provided for in this
37 subsection shall not affect the retired member's eligibility for compensation provided for in section 169.580
38 or 169.585, nor shall the amount being paid pursuant to these sections be reduced because of any increases
39 provided for in this section.

1 13. If the board of trustees determines that the cost of living, as measured by generally accepted
2 standards, increases two percent or more in the preceding fiscal year, the board shall increase the retirement
3 allowances which the retired members or beneficiaries are receiving by two percent of the amount being
4 received by the retired member or the beneficiary at the time the annual increase is granted by the board with
5 the provision that the increases provided for in this subsection shall not become effective until the fourth
6 January first following the member's retirement or January 1, 1977, whichever later occurs, or in the case of
7 any member retiring on or after July 1, 2000, the increase provided for in this subsection shall not become
8 effective until the third January first following the member's retirement, or in the case of any member retiring
9 on or after July 1, 2001, the increase provided for in this subsection shall not become effective until the
10 second January first following the member's retirement. Commencing with January 1, 1992, if the board of
11 trustees determines that the cost of living has increased five percent or more in the preceding fiscal year, the
12 board shall increase the retirement allowances by five percent. The total of the increases granted to a retired
13 member or the beneficiary after December 31, 1976, may not exceed eighty percent of the retirement
14 allowance established at retirement or as previously adjusted by other subsections. If the cost of living
15 increases less than five percent, the board of trustees may determine the percentage of increase to be made in
16 retirement allowances, but at no time can the increase exceed five percent per year. If the cost of living
17 decreases in a fiscal year, there will be no increase in allowances for retired members on the following
18 January first.

19 14. The board of trustees may reduce the amounts which have been granted as increases to a member
20 pursuant to subsection 13 of this section if the cost of living, as determined by the board and as measured by
21 generally accepted standards, is less than the cost of living was at the time of the first increase granted to the
22 member; except that, the reductions shall not exceed the amount of increases which have been made to the
23 member's allowance after December 31, 1976.

24 15. Any application for retirement shall include a sworn statement by the member certifying that the
25 spouse of the member at the time the application was completed was aware of the application and the plan of
26 retirement elected in the application.

27 16. Notwithstanding any other provision of law, any person retired prior to September 28, 1983, who
28 is receiving a reduced retirement allowance under option 1 or option 2 of subsection 3 of this section, as such
29 option existed prior to September 28, 1983, and whose beneficiary nominated to receive continued retirement
30 allowance payments under the elected option dies or has died, shall upon application to the board of trustees
31 have his or her retirement allowance increased to the amount he or she would have been receiving had the
32 option not been elected, actuarially adjusted to recognize any excessive benefits which would have been paid
33 to him or her up to the time of application.

34 17. Benefits paid pursuant to the provisions of the public school retirement system of Missouri shall
35 not exceed the limitations of Section 415 of Title 26 of the United States Code except as provided pursuant to
36 this subsection. Notwithstanding any other law to the contrary, the board of trustees may establish a benefit
37 plan pursuant to Section 415(m) of Title 26 of the United States Code. Such plan shall be created solely for
38 the purpose described in Section 415(m)(3)(A) of Title 26 of the United States Code. The board of trustees

1 may promulgate regulations necessary to implement the provisions of this subsection and to create and
2 administer such benefit plan.

3 18. Notwithstanding any other provision of law to the contrary, any person retired before, on, or after
4 May 26, 1994, shall be made, constituted, appointed and employed by the board as a special consultant on the
5 matters of education, retirement and aging, and upon request shall give written or oral opinions to the board
6 in response to such requests. As compensation for such duties the person shall receive an amount based on
7 the person's years of service so that the total amount received pursuant to sections 169.010 to 169.141 shall
8 be at least the minimum amounts specified in subdivisions (1) to (4) of this subsection. In determining the
9 minimum amount to be received, the amounts in subdivisions (3) and (4) of this subsection shall be adjusted
10 in accordance with the actuarial adjustment, if any, that was applied to the person's retirement allowance. In
11 determining the minimum amount to be received, beginning September 1, 1996, the amounts in subdivisions
12 (1) and (2) of this subsection shall be adjusted in accordance with the actuarial adjustment, if any, that was
13 applied to the person's retirement allowance due to election of an optional form of retirement having a
14 continued monthly payment after the person's death. Notwithstanding any other provision of law to the
15 contrary, no person retired before, on, or after May 26, 1994, and no beneficiary of such a person, shall
16 receive a retirement benefit pursuant to sections 169.010 to 169.141 based on the person's years of service
17 less than the following amounts:

- 18 (1) Thirty or more years of service, one thousand two hundred dollars;
- 19 (2) At least twenty-five years but less than thirty years, one thousand dollars;
- 20 (3) At least twenty years but less than twenty-five years, eight hundred dollars;
- 21 (4) At least fifteen years but less than twenty years, six hundred dollars.

22 19. Notwithstanding any other provisions of law to the contrary, any person retired prior to May 26,
23 1994, and any designated beneficiary of such a retired member who was deceased prior to July 1, 1999, shall
24 be made, constituted, appointed and employed by the board as a special consultant on the matters of
25 education, retirement or aging and upon request shall give written or oral opinions to the board in response to
26 such requests. Beginning September 1, 1996, as compensation for such service, the member shall have
27 added, pursuant to this subsection, to the member's monthly annuity as provided by this section a dollar
28 amount equal to the lesser of sixty dollars or the product of two dollars multiplied by the member's number of
29 years of creditable service. Beginning September 1, 1999, the designated beneficiary of the deceased
30 member shall as compensation for such service have added, pursuant to this subsection, to the monthly
31 annuity as provided by this section a dollar amount equal to the lesser of sixty dollars or the product of two
32 dollars multiplied by the member's number of years of creditable service. The total compensation provided
33 by this section including the compensation provided by this subsection shall be used in calculating any future
34 cost-of-living adjustments provided by subsection 13 of this section.

35 20. Any member who has retired prior to July 1, 1998, and the designated beneficiary of a deceased
36 retired member shall be made, constituted, appointed and employed by the board as a special consultant on
37 the matters of education, retirement and aging, and upon request shall give written or oral opinions to the
38 board in response to such requests. As compensation for such duties the person shall receive a payment
39 equivalent to eight and seven-tenths percent of the previous month's benefit, which shall be added to the

1 member's or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 13
2 and 14 of this section for the purposes of the limit on the total amount of increases which may be received.

3 21. Any member who has retired shall be made, constituted, appointed and employed by the board as
4 a special consultant on the matters of education, retirement and aging, and upon request shall give written or
5 oral opinions to the board in response to such request. As compensation for such duties, the beneficiary of
6 the retired member, or, if there is no beneficiary, the surviving spouse, surviving children in equal shares,
7 surviving parents in equal shares, or estate of the retired member, in that order of precedence, shall receive as
8 a part of compensation for these duties a death benefit of five thousand dollars.

9 22. Any member who has retired prior to July 1, 1999, and the designated beneficiary of a retired
10 member who was deceased prior to July 1, 1999, shall be made, constituted, appointed and employed by the
11 board as a special consultant on the matters of education, retirement and aging, and upon request shall give
12 written or oral opinions to the board in response to such requests. As compensation for such duties, the
13 person shall have added, pursuant to this subsection, to the monthly annuity as provided by this section a
14 dollar amount equal to five dollars times the member's number of years of creditable service.

15 23. Any member who has retired prior to July 1, 2000, and the designated beneficiary of a deceased
16 retired member shall be made, constituted, appointed and employed by the board as a special consultant on
17 the matters of education, retirement and aging, and upon request shall give written or oral opinions to the
18 board in response to such requests. As compensation for such duties, the person shall receive a payment
19 equivalent to three and five-tenths percent of the previous month's benefit, which shall be added to the
20 member or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 13
21 and 14 of this section for the purposes of the limit on the total amount of increases which may be received.

22 24. Any member who has retired prior to July 1, 2001, and the designated beneficiary of a deceased
23 retired member shall be made, constituted, appointed and employed by the board as a special consultant on
24 the matters of education, retirement and aging, and upon request shall give written or oral opinions to the
25 board in response to such requests. As compensation for such duties, the person shall receive a dollar amount
26 equal to three dollars times the member's number of years of creditable service, which shall be added to the
27 member's or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 13
28 and 14 of this section for the purposes of the limit on the total amount of increases which may be received.

29 169.560. 1. Any person retired and currently receiving a retirement allowance pursuant to sections
30 169.010 to 169.141, other than for disability, may be employed in any capacity for an employer included in
31 the retirement system created by those sections on either a part-time or temporary-substitute basis not to
32 exceed a total of five hundred fifty hours in any one school year, and through such employment may earn up
33 to fifty percent of the annual compensation payable under the employer's salary schedule for the position or
34 positions filled by the retiree, given such person's level of experience and education, without a discontinuance
35 of the person's retirement allowance. If the employer does not utilize a salary schedule, or if the position in
36 question is not subject to the employer's salary schedule, a retiree employed in accordance with the
37 provisions of this subsection may earn up to fifty percent of the annual compensation paid to the person or
38 persons who last held such position or positions. If the position or positions did not previously exist, the
39 compensation limit shall be determined in accordance with rules duly adopted by the board of trustees of the

retirement system; provided that, it shall not exceed fifty percent of the annual compensation payable for the position by the employer that is most comparable to the position filled by the retiree. In any case where a retiree fills more than one position during the school year, the fifty-percent limit on permitted earning shall be based solely on the annual compensation of the highest paid position occupied by the retiree for at least one-fifth of the total hours worked during the year. Such a person shall not contribute to the retirement system or to the public education employee retirement system established by sections 169.600 to 169.715 because of earnings during such period of employment. If such a person is employed in any capacity by such an employer in excess of the limitations set forth in this subsection, the person shall not be eligible to receive the person's retirement allowance for any month during which the person is so employed. In addition, such person shall contribute to the retirement system if the person satisfies the retirement system's membership eligibility requirements. In addition to the conditions set forth above, this subsection shall apply to any person retired and currently receiving a retirement allowance under sections 169.010 to 169.141, other than for disability, who is employed by a third party or is performing work as an independent contractor, if such person is performing work for an employer included in the retirement system as a temporary or long-term substitute teacher or in any other position that would normally require that person to be duly certificated under the laws governing the certification of teachers in Missouri if such person was employed by the district. The retirement system may require the employer, the third-party employer, the independent contractor, and the retiree subject to this subsection to provide documentation showing compliance with this subsection. If such documentation is not provided, the retirement system may deem the retiree to have exceeded the limitations provided in this subsection.

2. Notwithstanding any other provision of this section, any person retired and currently receiving a retirement allowance in accordance with sections 169.010 to 169.141, other than for disability, may be employed by an employer included in the retirement system created by those sections in a position that does not normally require a person employed in that position to be duly certificated under the laws governing the certification of teachers in Missouri, and through such employment may earn, beginning on August 28, 2023, and ending on June 30, 2028, up to [sixty percent of the minimum teacher's salary as set forth in section 163.172] one hundred thirty-three percent of the annual earnings exemption amount applicable to a Social Security recipient before the calendar year of attainment of full retirement age under 20 CFR 404.430, and, after June 30, 2028, up to the annual earnings exemption amount applicable to a Social Security recipient before the calendar year of attainment of full retirement age under 20 CFR 404.430, without a discontinuance of the person's retirement allowance from the retirement system. The Social Security annual earnings exemption amount applied shall be the exemption amount in effect for the calendar year in which the school year begins. Such person shall not contribute to the retirement system or to the public education employee retirement system established by sections 169.600 to 169.715 because of earnings during such period of employment, and such person shall not earn membership service for such employment. The employer's contribution rate shall be paid by the hiring employer into the public education employee retirement system established by sections 169.600 to 169.715. If such a person is employed in any capacity by an employer in excess of the limitations set forth in this subsection, the person shall not be eligible to receive the person's retirement allowance for any month during which the person is so employed. In addition, such person shall

become a member of and contribute to any retirement system described in this subsection if the person satisfies the retirement system's membership eligibility requirements. The provisions of this subsection shall not apply to any person retired and currently receiving a retirement allowance in accordance with sections 169.010 to 169.141 employed by a public community college or employer under subsection 4 of section 169.130.

169.596. 1. Notwithstanding any other provision of this chapter to the contrary, a retired certificated teacher receiving a retirement benefit from the retirement system established pursuant to sections 169.010 to 169.141 may, without losing his or her retirement benefit, teach full time for up to ~~two~~ four years for a school district covered by such retirement system; provided that the school district has a shortage of certified teachers, as determined by the school district, and provided that no such retired certificated teacher shall be employed as a superintendent. The total number of such retired certificated teachers shall not exceed, at any one time, the ~~lesser of ten~~ greater of one percent of the total ~~teacher~~ certificated teachers and noncertificated staff for that school district, or five certificated teachers.

2. Notwithstanding any other provision of this chapter to the contrary, a person receiving a retirement benefit from the retirement system established pursuant to sections 169.600 to 169.715 may, without losing his or her retirement benefit, be employed full time for up to ~~two~~ four years for a school district covered by such retirement system; provided that the school district has a shortage of noncertificated employees, as determined by the school district. The total number of such retired noncertificated employees shall not exceed, at any one time, the lesser of ten percent of the total noncertificated staff for that school district, or five employees.

3. The employer's contribution rate shall be paid by the hiring school district.

4. In order to hire teachers and noncertificated employees pursuant to the provisions of this section, the school district shall:

(1) Show a good faith effort to fill positions with nonretired certificated teachers or nonretired noncertificated employees;

(2) Post the vacancy for at least one month;

(3) Have not offered early retirement incentives for either of the previous two years;

(4) Solicit applications through the local newspaper, other media, or teacher education programs;

(5) Determine there is an insufficient number of eligible applicants for the advertised position; and

(6) Declare a critical shortage of certificated teachers or noncertificated employees that is active for one year.

5. Any person hired pursuant to this section shall be included in the State Directory of New Hires for purposes of income and eligibility verification pursuant to 42 U.S.C. Section 1320b-7.

170.025. 1. Each school district and charter school shall ensure that:

(1) Each elementary school under the control of such school district or charter school provides instruction in cursive writing so that students create readable documents through legible cursive handwriting by the end of the fifth grade; and

(2) Each student passes with proficiency a teacher-constructed test demonstrating competency in both reading and writing cursive.

2. The department of elementary and secondary education may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2023, shall be invalid and void."; and

Further amend said bill, Page 45, Section 171.033, Line 90, by inserting after all of the said section and line the following:

"173.232. 1. There is hereby established the "[~~Urban Flight and Rural Needs~~] Teacher Recruitment and Retention State Scholarship Program", which shall be administered by the department of elementary and secondary education. The program shall, upon appropriation, provide scholarships, subject to the eligibility criteria enumerated in this section, for eligible students who enter a teacher education program and make a commitment to teach as a condition of receiving such scholarship.

2. Subject to appropriation, each year the department of elementary and secondary education shall make available to eligible students [~~up to one hundred four-year urban flight and rural needs~~] scholarships for up to two years in an amount that encompasses one hundred percent of the total cost of eligible students' tuition and fees at a four-year college or university located in Missouri. Such amount shall be paid by funds appropriated to the department. The maximum number of scholarships made available under this section shall be as follows:

(1) For academic years ending before July 1, 2024, one hundred;

(2) For the 2024-25 academic year, two hundred;

(3) For the 2025-26 academic year, two hundred twenty;

(4) For the 2026-27 academic year, two hundred forty;

(5) For the 2027-28 academic year, two hundred sixty;

(6) For the 2028-29 academic year, two hundred eighty; and

(7) For the 2029-30 academic year and all subsequent academic years, three hundred.

3. As used in this section, the [~~term~~] following terms mean:

(1) "Eligible student" [~~shall mean~~], an individual who:

[(1)] (a) Is a United States citizen and a Missouri resident who attended a Missouri high school;

[(2)] (b) Enters and makes a commitment to pursue a teacher education program approved by the department of elementary and secondary education and offered by a four-year college or university located in Missouri;

[(3)] (c) Signs an agreement with the department of elementary and secondary education in which the recipient agrees to teach in a Missouri public school[, the population of which includes a higher-than-average "at-risk student population", as such term shall be defined by the department of elementary and

~~secondary education,]~~ that is a hard-to-staff school or to teach at least one hard-to-staff subject area in a Missouri public school that offers classes in hard-to-staff subject areas, or both, for two years for every one year the recipient received the ~~[urban flight and rural needs]~~ scholarship;

~~[(4) Has graduated from high school with a cumulative grade point average of at least two and one-half on a four-point scale or equivalent;~~

~~(5)]~~ (d) Maintains a cumulative grade point average of at least two and one-half on a four-point scale or equivalent; and

(e) For scholarships awarded for any academic year beginning after June 30, 2024, has made a good faith effort to first secure all available federal sources of grant funding that could be applied to the total cost of such student's eligible tuition and fees as described in subsection 2 of this section;

(2) "Hard-to-staff schools", attendance centers where the percentage of certificated positions in the attendance center that were left vacant or were filled with a teacher not fully qualified in the prior academic year exceeds five percent as reported to the department of elementary and secondary education;

(3) "Hard-to-staff subject areas", content areas for which positions were left vacant or were filled with a teacher not fully qualified in the prior academic year as reported to the department of elementary and secondary education. Such content areas shall be construed to include certificated teaching positions for students who are blind or visually impaired and students who are deaf or hearing impaired.

4. If the number of applicants exceeds the number of scholarships or revenues available, the department of elementary and secondary education may consider the financial needs of the applicant.

5. The scholarships provided in this section shall be available to ~~[otherwise]~~ eligible students who ~~[either]~~ meet at least one of the following:

(1) [Are currently enrolled in a community college and make a commitment to pursue a teacher education program approved by the department of elementary and secondary education and offered by a four-year college or university located in Missouri; or] Have successfully completed two years at a community college with a minimum of forty-eight credit hours and a grade point average of at least two and one-half on a four-point scale or the equivalent;

(2) Have been awarded an associate degree or the equivalent; or

(3) Have completed their baccalaureate degree [and agree to enter a teacher education program and make a commitment to pursue a teacher education program approved by the department of elementary and secondary education and offered by a four-year college or university located in Missouri].

6. (1) Every eligible student receiving scholarships under this section shall teach in an elementary or secondary public school in Missouri as provided in paragraph (c) of subdivision [(3)] (1) of subsection 3 of this section. The student shall teach for a period of two years for every one year [he or she] such student received [an urban flight and rural needs] a scholarship under this section; otherwise, the scholarship shall be treated as a loan to the eligible student[, and interest at the rate of nine and one-half percent per year]. Interest shall be charged on the unpaid balance of the amount received from the date the eligible student ceases to teach until the amount received is paid back to the state. The interest rate shall be adjusted annually and shall be equal to one percentage point over the prevailing United States prime rate in effect on January first of such year.

(2) In order to provide for the servicing of such loans, the department of elementary and secondary education may sell such loans to the higher education loan authority of the state of Missouri created pursuant to sections 173.350 to 173.445. For each year the student teaches, up to eight years, one-eighth of the amount received pursuant to this section shall be applied against the total amount received and shall not be subject to the repayment requirement of this section; provided that twenty-five percent of such amount, not subject to repayment, shall be repaid by the local school district to the department.

(3) The department of elementary and secondary education shall have the power to and shall defer interest and principal payments under certain circumstances, which shall include, but need not be limited to, the enrollment in a graduate program or service in any branch of the Armed Forces of the United States.

7. There is hereby established in the state treasury a fund to be known as the "~~Urban Flight and Rural Needs~~ Teacher Recruitment and Retention State Scholarship Program Fund", which shall consist of all moneys that may be appropriated to it by the general assembly, and in addition may include any gifts, contributions, grants, or bequests received from federal, state, private, or other sources. The fund shall be administered by the department of elementary and secondary education. Notwithstanding the provisions of section 33.080 to the contrary, moneys in the fund shall not be transferred to the credit of the general revenue fund at the end of the biennium. Interest and moneys earned on the fund shall be credited to the fund. Moneys in the fund shall be used solely for the purpose of awarding scholarships under the provisions of this section.

8. An individual who has qualified as an eligible student under this section shall continue to qualify as an eligible student for purposes of paragraph (c) of subdivision (1) of subsection 3 of this section as long as such individual remains employed by the school district in which such individual agrees to teach regardless of whether such individual's employing school no longer qualifies as a hard-to-staff school, such class taught by such individual no longer qualifies as a hard-to-staff subject area, or such individual's position within the school district changes."; and

Further amend said bill, Page 54, Section 452.375, Line 165, by inserting after all of the said section and line the following:

"571.030. 1. A person commits the offense of unlawful use of weapons, except as otherwise provided by sections 571.101 to 571.121, if he or she knowingly:

(1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use into any area where firearms are restricted under section 571.107; or

(2) Sets a spring gun; or

(3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle as defined in section 302.010, or any building or structure used for the assembling of people; or

(4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner; or

1 (5) Has a firearm or projectile weapon readily capable of lethal use on his or her person, while he or
2 she is intoxicated, and handles or otherwise uses such firearm or projectile weapon in either a negligent or
3 unlawful manner or discharges such firearm or projectile weapon unless acting in self-defense; or

4 (6) Discharges a firearm within one hundred yards of any occupied schoolhouse, courthouse, or
5 church building; or

6 (7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public
7 highway or discharges or shoots a firearm into any outbuilding; or

8 (8) Carries a firearm or any other weapon readily capable of lethal use into any church or place
9 where people have assembled for worship, or into any election precinct on any election day, or into any
10 building owned or occupied by any agency of the federal government, state government, or political
11 subdivision thereof; or

12 (9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010,
13 discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable
14 structure, unless the person was lawfully acting in self-defense; or

15 (10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use
16 into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned
17 by school officials or the district school board; or

18 (11) Possesses a firearm while also knowingly in possession of a controlled substance that is
19 sufficient for a felony violation of section 579.015.

20 2. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to the persons
21 described in this subsection, regardless of whether such uses are reasonably associated with or are necessary
22 to the fulfillment of such person's official duties except as otherwise provided in this subsection.

23 Subdivisions (3), (4), (6), (7), and (9) of subsection 1 of this section shall not apply to or affect any of the
24 following persons, when such uses are reasonably associated with or are necessary to the fulfillment of such
25 person's official duties, except as otherwise provided in this subsection:

26 (1) All state, county and municipal peace officers who have completed the training required by the
27 police officer standards and training commission pursuant to sections 590.030 to 590.050 and who possess
28 the duty and power of arrest for violation of the general criminal laws of the state or for violation of
29 ordinances of counties or municipalities of the state, whether such officers are on or off duty, and whether
30 such officers are within or outside of the law enforcement agency's jurisdiction, or all qualified retired peace
31 officers, as defined in subsection 12 of this section, and who carry the identification defined in subsection 13
32 of this section, or any person summoned by such officers to assist in making arrests or preserving the peace
33 while actually engaged in assisting such officer;

34 (2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for
35 the detention of persons accused or convicted of crime;

36 (3) Members of the Armed Forces or National Guard while performing their official duty;

37 (4) Those persons vested by Article V, Section 1 of the Constitution of Missouri with the judicial
38 power of the state and those persons vested by Article III of the Constitution of the United States with the
39 judicial power of the United States, the members of the federal judiciary;

1 (5) Any person whose bona fide duty is to execute process, civil or criminal;

2 (6) Any federal probation officer or federal flight deck officer as defined under the federal flight
3 deck officer program, 49 U.S.C. Section 44921, regardless of whether such officers are on duty, or within the
4 law enforcement agency's jurisdiction;

5 (7) Any state probation or parole officer, including supervisors and members of the parole board;

6 (8) Any corporate security advisor meeting the definition and fulfilling the requirements of the
7 regulations established by the department of public safety under section 590.750;

8 (9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner;

9 (10) Any municipal or county prosecuting attorney or assistant prosecuting attorney; circuit attorney
10 or assistant circuit attorney; municipal, associate, or circuit judge; or any person appointed by a court to be a
11 special prosecutor who has completed the firearms safety training course required under subsection 2 of
12 section 571.111;

13 (11) Any member of a fire department or fire protection district who is employed on a full-time basis
14 as a fire investigator and who has a valid concealed carry endorsement issued prior to August 28, 2013, or a
15 valid concealed carry permit under section 571.111 when such uses are reasonably associated with or are
16 necessary to the fulfillment of such person's official duties; and

17 (12) Upon the written approval of the governing body of a fire department or fire protection district,
18 any paid fire department or fire protection district member who is employed on a full-time basis and who has
19 a valid concealed carry endorsement issued prior to August 28, 2013, or a valid concealed carry permit, when
20 such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties.

21 3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when the actor is
22 transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily
23 accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section
24 does not apply to any person nineteen years of age or older or eighteen years of age or older and a member of
25 the United States Armed Forces, or honorably discharged from the United States Armed Forces, transporting
26 a concealable firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm
27 is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile
28 weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon premises over which the actor
29 has possession, authority or control, or is traveling in a continuous journey peaceably through this state.
30 Subdivision (10) of subsection 1 of this section does not apply if the firearm is otherwise lawfully possessed
31 by a person while traversing school premises for the purposes of transporting a student to or from school, or
32 possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event or club
33 event.

34 4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any person who
35 has a valid concealed carry permit issued pursuant to sections 571.101 to 571.121, a valid concealed carry
36 endorsement issued before August 28, 2013, or a valid permit or endorsement to carry concealed firearms
37 issued by another state or political subdivision of another state.

38 5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section shall not apply
39 to persons who are engaged in a lawful act of defense pursuant to section 563.031.

6. Notwithstanding any provision of this section to the contrary, the state shall not prohibit any state employee from having a firearm in the employee's vehicle on the state's property provided that the vehicle is locked and the firearm is not visible. This subsection shall only apply to the state as an employer when the state employee's vehicle is on property owned or leased by the state and the state employee is conducting activities within the scope of his or her employment. For the purposes of this subsection, "state employee" means an employee of the executive, legislative, or judicial branch of the government of the state of Missouri.

7. (1) Subdivision (10) of subsection 1 of this section shall not apply to a person who is a school officer commissioned by the district school board under section 162.215 or who is a school protection officer, as described under section 160.665.

(2) Nothing in this section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored or club-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any other function or activity sponsored or sanctioned by school officials or the district school board.

8. A person who commits the crime of unlawful use of weapons under:

(1) Subdivision (2), (3), (4), or (11) of subsection 1 of this section shall be guilty of a class E felony;

(2) Subdivision (1), (6), (7), or (8) of subsection 1 of this section shall be guilty of a class B misdemeanor, except when a concealed weapon is carried onto any private property whose owner has posted the premises as being off-limits to concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch, in which case the penalties of subsection 2 of section 571.107 shall apply;

(3) Subdivision (5) or (10) of subsection 1 of this section shall be guilty of a class A misdemeanor if the firearm is unloaded and a class E felony if the firearm is loaded;

(4) Subdivision (9) of subsection 1 of this section shall be guilty of a class B felony, except that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is a class A felony.

9. Violations of subdivision (9) of subsection 1 of this section shall be punished as follows:

(1) For the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony;

(2) For any violation by a prior offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation or conditional release for a term of ten years;

(3) For any violation by a persistent offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release;

(4) For any violation which results in injury or death to another person, a person shall be sentenced to an authorized disposition for a class A felony.

10. Any person knowingly aiding or abetting any other person in the violation of subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for violations by other persons.

11. Notwithstanding any other provision of law, no person who pleads guilty to or is found guilty of a felony violation of subsection 1 of this section shall receive a suspended imposition of sentence if such person has previously received a suspended imposition of sentence for any other firearms- or weapons-related felony offense.

12. As used in this section "qualified retired peace officer" means an individual who:

(1) Retired in good standing from service with a public agency as a peace officer, other than for reasons of mental instability;

(2) Before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;

(3) Before such retirement, was regularly employed as a peace officer for an aggregate of fifteen years or more, or retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;

(4) Has a nonforfeitable right to benefits under the retirement plan of the agency if such a plan is available;

(5) During the most recent twelve-month period, has met, at the expense of the individual, the standards for training and qualification for active peace officers to carry firearms;

(6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

(7) Is not prohibited by federal law from receiving a firearm.

13. The identification required by subdivision (1) of subsection 2 of this section is:

(1) A photographic identification issued by the agency from which the individual retired from service as a peace officer that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm; or

(2) A photographic identification issued by the agency from which the individual retired from service as a peace officer; and

(3) A certification issued by the state in which the individual resides that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the state to meet the standards established by the state for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm.

571.107. 1. A concealed carry permit issued pursuant to sections 571.101 to 571.121, a valid concealed carry endorsement issued prior to August 28, 2013, or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize the person in whose name the permit or endorsement is issued to carry concealed firearms on or about ~~his or her~~ the individual's person or

1 vehicle throughout the state. No concealed carry permit issued pursuant to sections 571.101 to 571.121, valid
2 concealed carry endorsement issued prior to August 28, 2013, or a concealed carry endorsement or permit
3 issued by another state or political subdivision of another state shall authorize any person to carry concealed
4 firearms into:

5 (1) Any police, sheriff, or highway patrol office or station without the consent of the chief law
6 enforcement officer in charge of that office or station. Possession of a firearm in a vehicle on the premises of
7 the office or station shall not be a criminal offense so long as the firearm is not removed from the vehicle or
8 brandished while the vehicle is on the premises;

9 (2) Within twenty-five feet of any polling place on any election day. Possession of a firearm in a
10 vehicle on the premises of the polling place shall not be a criminal offense so long as the firearm is not
11 removed from the vehicle or brandished while the vehicle is on the premises;

12 (3) The facility of any adult or juvenile detention or correctional institution, prison or jail.
13 Possession of a firearm in a vehicle on the premises of any adult, juvenile detention, or correctional
14 institution, prison or jail shall not be a criminal offense so long as the firearm is not removed from the vehicle
15 or brandished while the vehicle is on the premises;

16 (4) Any courthouse solely occupied by the circuit, appellate or supreme court, or any courtrooms,
17 administrative offices, libraries or other rooms of any such court whether or not such court solely occupies
18 the building in question. This subdivision shall also include, but not be limited to, any juvenile, family, drug,
19 or other court offices, any room or office wherein any of the courts or offices listed in this subdivision are
20 temporarily conducting any business within the jurisdiction of such courts or offices, and such other locations
21 in such manner as may be specified by supreme court rule pursuant to subdivision (6) of this subsection.
22 Nothing in this subdivision shall preclude those persons listed in subdivision (1) of subsection 2 of section
23 571.030 while within their jurisdiction and on duty, those persons listed in subdivisions (2), (4), and (10) of
24 subsection 2 of section 571.030, or such other persons who serve in a law enforcement capacity for a court as
25 may be specified by supreme court rule pursuant to subdivision (6) of this subsection from carrying a
26 concealed firearm within any of the areas described in this subdivision. Possession of a firearm in a vehicle
27 on the premises of any of the areas listed in this subdivision shall not be a criminal offense so long as the
28 firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

29 (5) Any meeting of the governing body of a unit of local government; or any meeting of the general
30 assembly or a committee of the general assembly, except that nothing in this subdivision shall preclude a
31 member of the body holding a valid concealed carry permit or endorsement from carrying a concealed
32 firearm at a meeting of the body of which [he or she] such individual is a member. Possession of a firearm in
33 a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the
34 vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision shall preclude a
35 member of the general assembly, a full-time employee of the general assembly employed under Section 17,
36 Article III, Constitution of Missouri, legislative employees of the general assembly as determined under
37 section 21.155, or statewide elected officials and their employees, holding a valid concealed carry permit or
38 endorsement, from carrying a concealed firearm in the state capitol building or at a meeting whether of the
39 full body of a house of the general assembly or a committee thereof, that is held in the state capitol building;

1 (6) The general assembly, supreme court, county or municipality may by rule, administrative
2 regulation, or ordinance prohibit or limit the carrying of concealed firearms by permit or endorsement holders
3 in that portion of a building owned, leased or controlled by that unit of government. Any portion of a
4 building in which the carrying of concealed firearms is prohibited or limited shall be clearly identified by
5 signs posted at the entrance to the restricted area. The statute, rule or ordinance shall exempt any building
6 used for public housing by private persons, highways or rest areas, firing ranges, and private dwellings
7 owned, leased, or controlled by that unit of government from any restriction on the carrying or possession of
8 a firearm. The statute, rule or ordinance shall not specify any criminal penalty for its violation but may
9 specify that persons violating the statute, rule or ordinance may be denied entrance to the building, ordered to
10 leave the building and if employees of the unit of government, be subjected to disciplinary measures for
11 violation of the provisions of the statute, rule or ordinance. The provisions of this subdivision shall not apply
12 to any other unit of government;

13 (7) Any establishment licensed to dispense intoxicating liquor for consumption on the premises,
14 which portion is primarily devoted to that purpose, without the consent of the owner or manager. The
15 provisions of this subdivision shall not apply to the licensee of said establishment. The provisions of this
16 subdivision shall not apply to any bona fide restaurant open to the general public having dining facilities for
17 not less than fifty persons and that receives at least fifty-one percent of its gross annual income from the
18 dining facilities by the sale of food. This subdivision does not prohibit the possession of a firearm in a
19 vehicle on the premises of the establishment and shall not be a criminal offense so long as the firearm is not
20 removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision
21 authorizes any individual who has been issued a concealed carry permit or endorsement to possess any
22 firearm while intoxicated;

23 (8) Any area of an airport to which access is controlled by the inspection of persons and property.
24 Possession of a firearm in a vehicle on the premises of the airport shall not be a criminal offense so long as
25 the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

26 (9) Any place where the carrying of a firearm is prohibited by federal law;

27 (10) Any higher education institution or elementary or secondary school facility without the consent
28 of the governing body of the higher education institution or a school official or the district school board,
29 unless the person with the concealed carry endorsement or permit is a teacher ~~[or]~~, administrator, or other
30 designated school personnel of an elementary or secondary school who has been designated by ~~[his or her]~~
31 such individual's school district as a school protection officer and is carrying a firearm in a school within that
32 district, in which case no consent is required. Possession of a firearm in a vehicle on the premises of any
33 higher education institution or elementary or secondary school facility shall not be a criminal offense so long
34 as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

35 (11) Any portion of a building used as a child care facility without the consent of the manager.
36 Nothing in this subdivision shall prevent the operator of a child care facility in a family home from owning or
37 possessing a firearm or a concealed carry permit or endorsement;

38 (12) Any riverboat gambling operation accessible by the public without the consent of the owner or
39 manager pursuant to rules promulgated by the gaming commission. Possession of a firearm in a vehicle on

1 the premises of a riverboat gambling operation shall not be a criminal offense so long as the firearm is not
2 removed from the vehicle or brandished while the vehicle is on the premises;

3 (13) Any gated area of an amusement park. Possession of a firearm in a vehicle on the premises of
4 the amusement park shall not be a criminal offense so long as the firearm is not removed from the vehicle or
5 brandished while the vehicle is on the premises;

6 (14) Any church or other place of religious worship without the consent of the minister or person or
7 persons representing the religious organization that exercises control over the place of religious worship.
8 Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is
9 not removed from the vehicle or brandished while the vehicle is on the premises;

10 (15) Any private property whose owner has posted the premises as being off-limits to concealed
11 firearms by means of one or more signs displayed in a conspicuous place of a minimum size of eleven inches
12 by fourteen inches with the writing thereon in letters of not less than one inch. The owner, business or
13 commercial lessee, manager of a private business enterprise, or any other organization, entity, or person may
14 prohibit persons holding a concealed carry permit or endorsement from carrying concealed firearms on the
15 premises and may prohibit employees, not authorized by the employer, holding a concealed carry permit or
16 endorsement from carrying concealed firearms on the property of the employer. If the building or the
17 premises are open to the public, the employer of the business enterprise shall post signs on or about the
18 premises if carrying a concealed firearm is prohibited. Possession of a firearm in a vehicle on the premises
19 shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the
20 vehicle is on the premises. An employer may prohibit employees or other persons holding a concealed carry
21 permit or endorsement from carrying a concealed firearm in vehicles owned by the employer;

22 (16) Any sports arena or stadium with a seating capacity of five thousand or more. Possession of a
23 firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from
24 the vehicle or brandished while the vehicle is on the premises;

25 (17) Any hospital accessible by the public. Possession of a firearm in a vehicle on the premises of a
26 hospital shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished
27 while the vehicle is on the premises.

28 2. Carrying of a concealed firearm in a location specified in subdivisions (1) to (17) of subsection 1
29 of this section by any individual who holds a concealed carry permit issued pursuant to sections 571.101 to
30 571.121, or a concealed carry endorsement issued prior to August 28, 2013, shall not be a criminal act but
31 may subject the person to denial to the premises or removal from the premises. If such person refuses to
32 leave the premises and a peace officer is summoned, such person may be issued a citation for an amount not
33 to exceed one hundred dollars for the first offense. If a second citation for a similar violation occurs within a
34 six-month period, such person shall be fined an amount not to exceed two hundred dollars and ~~[his or her]~~
35 such individual's permit, and, if applicable, endorsement to carry concealed firearms shall be suspended for a
36 period of one year. If a third citation for a similar violation is issued within one year of the first citation, such
37 person shall be fined an amount not to exceed five hundred dollars and shall have ~~[his or her]~~ such
38 individual's concealed carry permit, and, if applicable, endorsement revoked and such person shall not be
39 eligible for a concealed carry permit for a period of three years. Upon conviction of charges arising from a

1 citation issued pursuant to this subsection, the court shall notify the sheriff of the county which issued the
 2 concealed carry permit, or, if the person is a holder of a concealed carry endorsement issued prior to August
 3 28, 2013, the court shall notify the sheriff of the county which issued the certificate of qualification for a
 4 concealed carry endorsement and the department of revenue. The sheriff shall suspend or revoke the
 5 concealed carry permit or, if applicable, the certificate of qualification for a concealed carry endorsement. If
 6 the person holds an endorsement, the department of revenue shall issue a notice of such suspension or
 7 revocation of the concealed carry endorsement and take action to remove the concealed carry endorsement
 8 from the individual's driving record. The director of revenue shall notify the licensee that ~~he or she~~ the
 9 licensee must apply for a new license pursuant to chapter 302 which does not contain such endorsement. The
 10 notice issued by the department of revenue shall be mailed to the last known address shown on the
 11 individual's driving record. The notice is deemed received three days after mailing.

12 571.215. 1. A Missouri lifetime or extended concealed carry permit issued under sections 571.205
 13 to 571.230 shall authorize the person in whose name the permit is issued to carry concealed firearms on or
 14 about ~~his or her~~ the individual's person or vehicle throughout the state. No Missouri lifetime or extended
 15 concealed carry permit shall authorize any person to carry concealed firearms into:

16 (1) Any police, sheriff, or highway patrol office or station without the consent of the chief law
 17 enforcement officer in charge of that office or station. Possession of a firearm in a vehicle on the premises of
 18 the office or station shall not be a criminal offense so long as the firearm is not removed from the vehicle or
 19 brandished while the vehicle is on the premises;

20 (2) Within twenty-five feet of any polling place on any election day. Possession of a firearm in a
 21 vehicle on the premises of the polling place shall not be a criminal offense so long as the firearm is not
 22 removed from the vehicle or brandished while the vehicle is on the premises;

23 (3) The facility of any adult or juvenile detention or correctional institution, prison or jail.
 24 Possession of a firearm in a vehicle on the premises of any adult, juvenile detention, or correctional
 25 institution, prison or jail shall not be a criminal offense so long as the firearm is not removed from the vehicle
 26 or brandished while the vehicle is on the premises;

27 (4) Any courthouse solely occupied by the circuit, appellate or supreme court, or any courtrooms,
 28 administrative offices, libraries, or other rooms of any such court whether or not such court solely occupies
 29 the building in question. This subdivision shall also include, but not be limited to, any juvenile, family, drug,
 30 or other court offices, any room or office wherein any of the courts or offices listed in this subdivision are
 31 temporarily conducting any business within the jurisdiction of such courts or offices, and such other locations
 32 in such manner as may be specified by supreme court rule under subdivision (6) of this subsection. Nothing
 33 in this subdivision shall preclude those persons listed in subdivision (1) of subsection 2 of section 571.030
 34 while within their jurisdiction and on duty, those persons listed in subdivisions (2), (4), and (10) of subsection
 35 2 of section 571.030, or such other persons who serve in a law enforcement capacity for a court as may be
 36 specified by supreme court rule under subdivision (6) of this subsection from carrying a concealed firearm
 37 within any of the areas described in this subdivision. Possession of a firearm in a vehicle on the premises of
 38 any of the areas listed in this subdivision shall not be a criminal offense so long as the firearm is not removed
 39 from the vehicle or brandished while the vehicle is on the premises;

1 (5) Any meeting of the governing body of a unit of local government, or any meeting of the general
2 assembly or a committee of the general assembly, except that nothing in this subdivision shall preclude a
3 member of the body holding a valid Missouri lifetime or extended concealed carry permit from carrying a
4 concealed firearm at a meeting of the body of which [he or she] such individual is a member. Possession of a
5 firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from
6 the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision shall preclude a
7 member of the general assembly, a full-time employee of the general assembly employed under Section 17,
8 Article III, Constitution of Missouri, legislative employees of the general assembly as determined under
9 section 21.155, or statewide elected officials and their employees, holding a valid Missouri lifetime or
10 extended concealed carry permit, from carrying a concealed firearm in the state capitol building or at a
11 meeting whether of the full body of a house of the general assembly or a committee thereof, that is held in the
12 state capitol building;

13 (6) The general assembly, supreme court, county, or municipality may by rule, administrative
14 regulation, or ordinance prohibit or limit the carrying of concealed firearms by permit holders in that portion
15 of a building owned, leased, or controlled by that unit of government. Any portion of a building in which the
16 carrying of concealed firearms is prohibited or limited shall be clearly identified by signs posted at the
17 entrance to the restricted area. The statute, rule, or ordinance shall exempt any building used for public
18 housing by private persons, highways or rest areas, firing ranges, and private dwellings owned, leased, or
19 controlled by that unit of government from any restriction on the carrying or possession of a firearm. The
20 statute, rule, or ordinance shall not specify any criminal penalty for its violation but may specify that persons
21 violating the statute, rule, or ordinance may be denied entrance to the building, ordered to leave the building
22 and if employees of the unit of government, be subjected to disciplinary measures for violation of the
23 provisions of the statute, rule, or ordinance. The provisions of this subdivision shall not apply to any other
24 unit of government;

25 (7) Any establishment licensed to dispense intoxicating liquor for consumption on the premises,
26 which portion is primarily devoted to that purpose, without the consent of the owner or manager. The
27 provisions of this subdivision shall not apply to the licensee of said establishment. The provisions of this
28 subdivision shall not apply to any bona fide restaurant open to the general public having dining facilities for
29 not less than fifty persons and that receives at least fifty-one percent of its gross annual income from the
30 dining facilities by the sale of food. This subdivision does not prohibit the possession of a firearm in a
31 vehicle on the premises of the establishment and shall not be a criminal offense so long as the firearm is not
32 removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision
33 authorizes any individual who has been issued a Missouri lifetime or extended concealed carry permit to
34 possess any firearm while intoxicated;

35 (8) Any area of an airport to which access is controlled by the inspection of persons and property.
36 Possession of a firearm in a vehicle on the premises of the airport shall not be a criminal offense so long as
37 the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

38 (9) Any place where the carrying of a firearm is prohibited by federal law;

(10) Any higher education institution or elementary or secondary school facility without the consent of the governing body of the higher education institution or a school official or the district school board, unless the person with the Missouri lifetime or extended concealed carry permit is a teacher ~~or~~, administrator, or other designated school personnel of an elementary or secondary school who has been designated by ~~his or her~~ such individual's school district as a school protection officer and is carrying a firearm in a school within that district, in which case no consent is required. Possession of a firearm in a vehicle on the premises of any higher education institution or elementary or secondary school facility shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(11) Any portion of a building used as a child care facility without the consent of the manager. Nothing in this subdivision shall prevent the operator of a child care facility in a family home from owning or possessing a firearm or a Missouri lifetime or extended concealed carry permit;

(12) Any riverboat gambling operation accessible by the public without the consent of the owner or manager under rules promulgated by the gaming commission. Possession of a firearm in a vehicle on the premises of a riverboat gambling operation shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(13) Any gated area of an amusement park. Possession of a firearm in a vehicle on the premises of the amusement park shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(14) Any church or other place of religious worship without the consent of the minister or person or persons representing the religious organization that exercises control over the place of religious worship. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(15) Any private property whose owner has posted the premises as being off-limits to concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch. The owner, business or commercial lessee, manager of a private business enterprise, or any other organization, entity, or person may prohibit persons holding a Missouri lifetime or extended concealed carry permit from carrying concealed firearms on the premises and may prohibit employees, not authorized by the employer, holding a Missouri lifetime or extended concealed carry permit from carrying concealed firearms on the property of the employer. If the building or the premises are open to the public, the employer of the business enterprise shall post signs on or about the premises if carrying a concealed firearm is prohibited. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. An employer may prohibit employees or other persons holding a Missouri lifetime or extended concealed carry permit from carrying a concealed firearm in vehicles owned by the employer;

(16) Any sports arena or stadium with a seating capacity of five thousand or more. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(17) Any hospital accessible by the public. Possession of a firearm in a vehicle on the premises of a hospital shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises.

2. Carrying of a concealed firearm in a location specified in subdivisions (1) to (17) of subsection 1 of this section by any individual who holds a Missouri lifetime or extended concealed carry permit shall not be a criminal act but may subject the person to denial to the premises or removal from the premises. If such person refuses to leave the premises and a peace officer is summoned, such person may be issued a citation for an amount not to exceed one hundred dollars for the first offense. If a second citation for a similar violation occurs within a six-month period, such person shall be fined an amount not to exceed two hundred dollars and ~~[his or her]~~ such individual's permit to carry concealed firearms shall be suspended for a period of one year. If a third citation for a similar violation is issued within one year of the first citation, such person shall be fined an amount not to exceed five hundred dollars and shall have ~~[his or her]~~ such individual's Missouri lifetime or extended concealed carry permit revoked and such person shall not be eligible for a Missouri lifetime or extended concealed carry permit or a concealed carry permit issued under sections 571.101 to 571.121 for a period of three years. Upon conviction of charges arising from a citation issued under this subsection, the court shall notify the sheriff of the county which issued the Missouri lifetime or extended concealed carry permit. The sheriff shall suspend or revoke the Missouri lifetime or extended concealed carry permit.

590.010. As used in this chapter, the following terms mean:

(1) "Commission", when not obviously referring to the POST commission, means a grant of authority to act as a peace officer;

(2) "Director", the director of the Missouri department of public safety or ~~[his or her]~~ the director's designated agent or representative;

(3) "Peace officer", a law enforcement officer of the state or any political subdivision of the state with the power of arrest for a violation of the criminal code or declared or deemed to be a peace officer by state statute;

(4) "POST commission", the peace officer standards and training commission;

(5) "Reserve peace officer", a peace officer who regularly works less than thirty hours per week;

(6) "School protection officer", an elementary or secondary school teacher ~~[or]~~, administrator, or other designated school personnel who has been designated as a school protection officer by a school district.

590.205. 1. The POST commission shall establish minimum standards for school protection officer training instructors, training centers, and training programs.

2. The director shall develop and maintain a list of approved school protection officer training instructors, training centers, and training programs. The director shall not place any instructor, training center, or training program on its approved list unless such instructor, training center, or training program meets all of the POST commission requirements under this section and section 590.200. The director shall make this approved list available to every school district in the state. The required training to become a school protection officer shall be provided by those firearm instructors, private and public, who have

1 successfully completed a department of public safety POST certified law enforcement firearms instructor
2 school.

3 3. Each person seeking entrance into a school protection officer training center or training program
4 shall submit a fingerprint card and authorization for a criminal history background check to include the
5 records of the Federal Bureau of Investigation to the training center or training program where such person is
6 seeking entrance. The training center or training program shall cause a criminal history background check to
7 be made and shall cause the resulting report to be forwarded to the school district where the elementary or
8 secondary school teacher ~~[or]~~, administrator, or other designated school personnel is seeking to be designated
9 as a school protection officer.

10 4. No person shall be admitted to a school protection officer training center or training program
11 unless such person submits proof to the training center or training program that ~~[he or she]~~ such individual
12 has a valid concealed carry endorsement or permit.

13 5. A certificate of school protection officer training program completion may be issued to any
14 applicant by any approved school protection officer training instructor. On the certificate of program
15 completion the approved school protection officer training instructor shall affirm that the individual receiving
16 instruction has taken and passed a school protection officer training program that meets the requirements of
17 this section and section 590.200 and indicate whether the individual has a valid concealed carry endorsement
18 or permit. The instructor shall also provide a copy of such certificate to the director of the department of
19 public safety."; and

20
21 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.