

House _____ Amendment NO. _____

Offered By

1 AMEND Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 727, Page 81, Section
2 163.172, Line 46, by deleting the phrase "school year and in all subsequent" and inserting in lieu thereof the
3 phrase ", 2029-30, and 2030-31"; and

4
5 Further amend said bill, page, and section, Line 51, by inserting after "subsection" the following:

6
7 ", provided that a school district shall not be required to adjust such minimum salaries by the percentage
8 increase in inflation in any school year where any state aid, as calculated in section 163.031, is withheld from
9 such school district. The minimum teacher salaries for all school years after the 2030-31 school year shall be
10 the same as the minimum teacher salaries for the 2030-31 school year"; and

11
12 Further amend said bill, Pages 85 to 87, Section 167.012, Lines 1 to 54, by deleting all of the said section and
13 lines; and

14
15 Further amend said bill and page, Section 167.013, Line 1, by deleting the phrase "state law" and inserting in
16 lieu thereof the phrase "chapters 160 to 171"; and

17
18 Further amend said bill and section, Page 88, Line 53, by inserting after the word "attorney" the phrase "if
19 there is probable cause to believe that a violation of this section or section 167.031 has occurred"; and

20
21 Further amend said bill, Pages 88 to 93, Section 167.031, Lines 1 to 137, by deleting all of the said lines and
22 inserting in lieu thereof the following:

23
24 "167.031. 1. (1) Every parent, guardian or other person in this state having charge, control or
25 custody of a child not enrolled in a public, private, parochial, parish school or full-time equivalent attendance
26 in a combination of such schools and between the ages of seven years and the compulsory attendance age for
27 the district is responsible for enrolling the child in a program of academic instruction which complies with
28 subsection 2 of this section.

29 (2) Any parent, guardian or other person who enrolls a child between the ages of five and seven years
30 in a public school program of academic instruction shall cause such child to attend the academic program on
31 a regular basis, according to this section. Nonattendance by such child shall cause such parent, guardian or
32 other responsible person to be in violation of the provisions of section 167.061, except as provided by this
33 section. A parent, guardian or other person in this state having charge, control, or custody of a child between
34 the ages of seven years of age and the compulsory attendance age for the district shall cause the child to
35 attend regularly some public, private, parochial, parish, home school, or FPE school, or a combination of
36 such schools not less than the entire school term of the school ~~[which]~~ that the child attends; except that:
37 ~~[(+)]~~ (a) A child who, to the satisfaction of the superintendent of public schools of the district in which ~~[he]~~
38 such child resides, or if there is no superintendent then the chief school officer, is determined to be mentally
39 or physically incapacitated may be excused from attendance at school for the full time required, or any part
40 thereof;

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1 ~~[(2)]~~ (b) A child between fourteen years of age and the compulsory attendance age for the district may be
 2 excused from attendance at school for the full time required, or any part thereof, by the superintendent of
 3 public schools of the district, or if there is none then by a court of competent jurisdiction, when legal
 4 employment has been obtained by the child and found to be desirable, and after the parents or guardian of the
 5 child have been advised of the pending action; or

6 ~~[(3)]~~ (c) A child between five and seven years of age shall be excused from attendance at school if a parent,
 7 guardian, or other person having charge, control, or custody of the child makes a written request that the child
 8 be dropped from the school's rolls; or

9 (d) A child may be excused from attendance at school for the full time required, or any part thereof,
 10 if the child is unable to attend school due to mental or behavioral health concerns, provided that the school
 11 receives documentation from a mental health professional licensed under chapters 334 or 337 acting within
 12 his or her authorized scope of practice stating that the child is not able to attend school due to such concerns.

13 2. (1) As used in sections 167.031 to ~~[167.071]~~167.061, a "home school" is a school, whether
 14 incorporated or unincorporated, that:

15 (a) Has as its primary purpose the provision of private or religious-based instruction;

16 (b) Enrolls pupils between the ages of seven years and the compulsory attendance age for the
 17 district, of which no more than four are unrelated by affinity or consanguinity in the third degree; ~~and~~

18 (c) Does not charge or receive consideration in the form of tuition, fees, or other remuneration in a
 19 genuine and fair exchange for provision of instruction;

20 (d) Does not enroll children who participate in the program established in sections 135.712 to
 21 135.719 and sections 166.700 to 166.720; and

22 (e) Is not an FPE school.

23 (2) As evidence that a child is receiving regular instruction, the parent shall, except as otherwise
 24 provided in this subsection:

25 (a) Maintain the following records:

26 a. A plan book, diary, or other written record indicating subjects taught and activities engaged in;
 27 and

28 b. A portfolio of samples of the child's academic work; and

29 c. A record of evaluations of the child's academic progress; or

30 d. Other written, or credible evidence equivalent to subparagraphs a., b. and c.; and

31 (b) Offer at least one thousand hours of instruction, at least six hundred hours of which will be in
 32 reading, language arts, mathematics, social studies and science or academic courses that are related to the
 33 aforementioned subject areas and consonant with the pupil's age and ability. At least four hundred of the six
 34 hundred hours shall occur at the regular home school location.

35 (3) The requirements of subdivision (2) of this subsection shall not apply to any pupil above the age
 36 of sixteen years.

37 3. Nothing in this section shall require a private, parochial, parish ~~[or]~~, home school, or FPE school
 38 to include in its curriculum any concept, topic, or practice in conflict with the school's religious doctrines or
 39 to exclude from its curriculum any concept, topic, or practice consistent with the school's religious doctrines.
 40 Any other provision of the law to the contrary notwithstanding, all departments or agencies of the state of
 41 Missouri shall be prohibited from dictating through rule, regulation or other device any statewide curriculum
 42 for private, parochial, parish ~~[or]~~, home schools, or FPE schools.

43 4. A school year begins on the first day of July and ends on the thirtieth day of June following.

44 5. The production by a parent of a daily log showing that a home school has a course of instruction
 45 which satisfies the requirements of this section or, in the case of a pupil over the age of sixteen years who
 46 attended a metropolitan school district the previous year, a written statement that the pupil is attending home
 47 school in compliance with this section shall be a defense to any prosecution under this section and to any
 48 charge or action for educational neglect brought pursuant to chapter 210.

49 6. As used in sections 167.031 to 167.051, the term "compulsory attendance age for the district"
 50 shall mean:

51 (1) Seventeen years of age for any metropolitan school district for which the school board adopts a
 52 resolution to establish such compulsory attendance age; provided that such resolution shall take effect no
 53 earlier than the school year next following the school year during which the resolution is adopted; and

1 (2) Seventeen years of age or having successfully completed sixteen credits towards high school
2 graduation in all other cases.

3
4 The school board of a metropolitan school district for which the compulsory attendance age is seventeen
5 years may adopt a resolution to lower the compulsory attendance age to sixteen years; provided that such
6 resolution shall take effect no earlier than the school year next following the school year during which the
7 resolution is adopted.

8 7. For purposes of subsection 2 of this section as applied in subsection 6 herein or FPE school credits
9 toward high school graduation, a "completed credit towards high school graduation" shall be defined as one
10 hundred hours or more of instruction in a course. Home school and FPE school education enforcement and
11 records pursuant to this section, and sections 210.167 and 211.031, shall be subject to review only by the
12 local prosecuting attorney only if there is probable cause to believe that a violation of this section has
13 occurred.

14 167.032. 1. Except as otherwise provided in this section, if an agent of a public school, school
15 district, or school board or any state agency, political subdivision, or other public governmental body, as such
16 term is defined in section 610.010, possesses any individually identifiable information about a child receiving
17 instruction in a home school or a family paced education school, such information shall remain confidential,
18 shall not be posted or published in any format or medium, and shall not be disclosed to any other person or
19 entity without the written consent of:

20 (1) The child, if the child is eighteen years of age or older; or

21 (2) The custodial parent, legal guardian, or legal custodian of the child, if the child is under
22 eighteen years of age.

23 2. Except as otherwise provided in this section, if an agent of a public school, school district, or
24 school board or any state agency, political subdivision, or other public governmental body, as such term is
25 defined in section 610.010, possesses any individually identifiable information about the custodial parent,
26 legal guardian, or legal custodian of the child, if the child is under eighteen years of age, receiving instruction
27 in a home school or a family paced education school, such information shall remain confidential, shall not be
28 posted or published in any format or medium, and shall not be disclosed to any other person or entity without
29 the written consent of the custodial parent, legal guardian, or legal custodian of the child.

30 3. A public school, school district, school board, state agency, political subdivision, or any
31 other public governmental body, as such term is defined in section 610.010, shall not create or maintain a list
32 of home school students."; and

33
34 Further amend said bill, Page 140, Section 210.167, Lines 8, by deleting the phrase "school, or FPE school"
35 and inserting in lieu thereof the phrase "school as defined in section 167.031, or FPE school as defined in
36 section 167.013"; and

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38 Further amend said bill, Page 143, Section 210.211, Line 73, by inserting after the word "school" the phrase
39 "as defined in section 167.013"; and

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1 Further amend said bill, Page 148, Section 211.031, Line 123, by deleting the phrase "home school or an FPE
2 school," and inserting in lieu thereof the phrase "'home school as defined in section 167.031 or an FPE
3 school as defined in section 167.013,"; and

4
5 Further amend said bill, Page 151, Section 452.375, Lines 53 and 54, by deleting the said lines and inserting
6 in lieu thereof the phrase "her child or children to a home school, as defined in section 167.031, or FPE
7 school, as defined in section 167.013,"; and

8
9 Further amend said bill, Page 165, Section 1, Line 34, by inserting after all of the said section and line the
10 following:

11 "~~167.042. For the purpose of minimizing unnecessary investigations due to reports of truancy, each~~
12 ~~parent, guardian, or other person responsible for the child who causes his child to attend regularly a home~~
13 ~~school may provide to the recorder of deeds of the county where the child legally resides, or to the chief~~
14 ~~school officer of the public school district where the child legally resides, a signed, written declaration of~~
15 ~~enrollment stating their intent for the child to attend a home school within thirty days after the establishment~~
16 ~~of the home school and by September first annually thereafter. The name and age of each child attending the~~
17 ~~home school, the address and telephone number of the home school, the name of each person teaching in the~~
18 ~~home school, and the name, address and signature of each person making the declaration of enrollment shall~~
19 ~~be included in said notice. A declaration of enrollment to provide a home school shall not be cause to~~
20 ~~investigate violations of section 167.031. The recorder of deeds may charge a service cost of not more than~~
21 ~~one dollar for each notice filed.]"; and~~

22
23 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.