

FIRST REGULAR SESSION

HOUSE BILL NO. 556

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GRAGG.

1288H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 171.051, RSMo, and section 171.031 as enacted by senate bill no. 727, one hundred second general assembly, second regular session, and section 171.031 as enacted by house bill no. 604, one hundredth general assembly, first regular session, and to enact in lieu thereof two new sections relating to school closures on election days.

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

Section A. Section 171.051, RSMo, and section 171.031 as enacted by senate bill no. 2 727, one hundred second general assembly, second regular session, and section 171.031 as 3 enacted by house bill no. 604, one hundredth general assembly, first regular session, are 4 repealed and two new sections enacted in lieu thereof, to be known as sections 171.031 and 5 171.051, to read as follows:

171.031. 1. Each school board shall prepare annually a calendar for the school term, 2 specifying the opening date, days of planned attendance, and providing a minimum term of at 3 least one thousand forty-four hours of actual pupil attendance, and, for a school district that is 4 located wholly or partially in a county with a charter form of government or a school district 5 that is located wholly or partially in a city with more than thirty thousand inhabitants, a 6 minimum of one hundred and sixty-nine school days, unless the district has adopted a four- 7 day school week as provided in section 171.028, in which case the district school term shall 8 have a minimum of one hundred forty-two school days. In addition, such calendar shall 9 include six make-up days for possible loss of attendance due to inclement weather as defined 10 in subsection 1 of section 171.033. In school year 2019-20 and subsequent years, such 11 calendar shall include thirty-six make-up hours for possible loss of attendance due to

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

12 inclement weather, as defined in subsection 1 of section 171.033, with no minimum number
13 of make-up days.

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

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

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

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

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

40 **7. For the 2025-26 school year and each subsequent school year, when preparing**
41 **a calendar for the school term under this section, each school district and charter school**
42 **shall set the general municipal election day and the general election day, as such days**
43 **are established under section 115.121, as a school holiday on which school is not in**
44 **session.**

171.031. 1. Each school board shall prepare annually a calendar for the school term,
2 specifying the opening date, days of planned attendance, and providing a minimum term of at
3 least one hundred seventy-four days for schools with a five-day school week or one hundred
4 forty-two days for schools with a four-day school week, and one thousand forty-four hours of

5 actual pupil attendance. In school year 2019-20 and subsequent years, one thousand forty-
6 four hours of actual pupil attendance shall be required for the school term with no minimum
7 number of school days. In addition, such calendar shall include six make-up days for possible
8 loss of attendance due to inclement weather as defined in subsection 1 of section 171.033. In
9 school year 2019-20 and subsequent years, such calendar shall include thirty-six make-up
10 hours for possible loss of attendance due to inclement weather, as defined in subsection 1 of
11 section 171.033, with no minimum number of make-up days.

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

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

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

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

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

38 **7. For the 2025-26 school year and each subsequent school year, when preparing**
39 **a calendar for the school term under this section, each school district and charter school**
40 **shall set the general municipal election day and the general election day, as such days**

41 **are established under section 115.121, as a school holiday on which school is not in**
42 **session.**

171.051. School holidays include Thanksgiving Day, December twenty-fifth, the
2 third Monday in February, July fourth, **the general municipal election day and the general**
3 **election day, as such days are established under section 115.121,** and may include
4 November eleventh at the discretion of the school district.

✓