

FIRST REGULAR SESSION

# HOUSE BILL NO. 1046

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE COOK.

1918H.011

JOSEPH ENGLER, Chief Clerk

## AN ACT

To repeal section 160.254, RSMo, and to enact in lieu thereof two new sections relating to appeals of decisions made by high school activities associations.

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

Section A. Section 160.254, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 160.254 and 161.028, to read as follows:

160.254. 1. There is hereby established a joint committee of the general assembly, which shall be known as the "Joint Committee on Education", which shall be composed of seven members of the senate and seven members of the house of representatives. The senate members of the committee shall be appointed by the president pro tem of the senate and the house members by the speaker of the house.

2. The committee shall meet at least twice a year. In the event of three consecutive absences on the part of any member, such member may be removed from the committee.

3. The committee shall select either a chairman or cochairmen, one of whom shall be a member of the senate and one a member of the house. A majority of the members shall constitute a quorum. Meetings of the committee may be called at such time and place as the chairman or chairmen designate.

4. The committee shall:

(1) Review and monitor the progress of education in the state's public schools and institutions of higher education;

(2) Receive reports from the commissioner of education concerning the public schools and from the commissioner of higher education concerning institutions of higher education;

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.

- 18 (3) Conduct a study and analysis of the public school system;
- 19 (4) Make recommendations to the general assembly for legislative action;
- 20 (5) Conduct an in-depth study concerning all issues relating to the equity and  
21 adequacy of the distribution of state school aid, teachers' salaries, funding for school  
22 buildings, and overall funding levels for schools and any other education funding-related  
23 issues the committee deems relevant;
- 24 (6) Monitor the establishment of performance measures as required by section  
25 173.1006 and report on their establishment to the governor and the general assembly;
- 26 (7) Conduct studies and analysis regarding:
- 27 (a) The higher education system, including financing public higher education and the  
28 provision of financial aid for higher education; and
- 29 (b) The feasibility of including students enrolled in proprietary schools, as that term is  
30 defined in section 173.600, in all state-based financial aid programs;
- 31 (8) Annually review the collection of information under section 173.093 to facilitate a  
32 more accurate comparison of the actual costs at public and private higher education  
33 institutions;
- 34 (9) Within three years of August 28, 2007, review a new model for the funding of  
35 public higher education institutions upon submission of such model by the coordinating board  
36 for higher education;
- 37 (10) Within three years of August 28, 2007, review the impact of the higher education  
38 student funding act established in sections 173.1000 to 173.1006;
- 39 (11) Beginning August 28, 2008, upon review, approve or deny any expenditures  
40 made by the commissioner of education pursuant to section 160.530, as provided in  
41 subsection 5 of section 160.530; and
- 42 **(12) Serve as the appellate body responsible for handling an appeal relating to a**  
43 **decision or ruling made by a high school activities association as defined in section**  
44 **161.028.**
- 45 5. The committee may make reasonable requests for staff assistance from the research  
46 and appropriations staffs of the house and senate and the committee on legislative research, as  
47 well as the department of elementary and secondary education, the department of higher  
48 education and workforce development, the coordinating board for higher education, the state  
49 tax commission, the department of economic development, all school districts and other  
50 political subdivisions of this state, teachers and teacher groups, business and other  
51 commercial interests and any other interested persons.
- 52 6. Members of the committee shall receive no compensation but may be reimbursed  
53 for reasonable and necessary expenses associated with the performance of their official  
54 duties.

55           7. A high school activities association that is a party to an appeal of a decision or  
56 ruling as described in section 161.028 shall fund any expenses incurred by the joint  
57 committee on education during the appeals process established in section 161.028.

          161.028. 1. For purposes of this section, "activities association" shall mean a  
2 nonprofit statewide organization that facilitates interscholastic activities for secondary  
3 school students and whose members include at least one public school district that pays  
4 fees to such association including, but not limited to, activity participation fees,  
5 tournament registration fees, membership fees, or other fees relating to membership in  
6 such association or participation in any activities facilitated by such activities  
7 association.

8           2. An activities association shall not serve as the appellate body responsible for  
9 handling appeals relating to a decision or ruling made by such activities association.

10          3. The joint committee on education shall serve as the appellate body responsible  
11 for handling appeals relating to a decision or ruling made by an activities association.

12          4. Within forty-eight hours of receiving an appeal relating to a decision or ruling  
13 made by an activities association, the joint committee on education shall convene a  
14 meeting to consider the appeal. Within twenty-four hours of such meeting, the joint  
15 committee on education shall rule on the appeal and such ruling shall be final.

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