

SECOND REGULAR SESSION

HOUSE BILL NO. 3322

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HAUSMAN.

7044H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 167.019, RSMo, and to enact in lieu thereof one new section relating to educational stability for a child in foster care.

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

Section A. Section 167.019, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 167.019, to read as follows:

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

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

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.

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

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

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

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

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

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