

SECOND REGULAR SESSION

HOUSE BILL NO. 2382

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DOGAN.

6195H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 160.051, 160.053, 160.054, 160.055, and 163.018, RSMo, and to enact in lieu thereof three new sections relating to age attainment for school entry.

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

Section A. Sections 160.051, 160.053, 160.054, 160.055, and 163.018, RSMo, are
2 repealed and three new sections enacted in lieu thereof, to be known as sections 160.051,
3 160.053, and 163.018, to read as follows:

160.051. 1. A system of free public schools is established throughout the state for the
2 gratuitous instruction of persons between the ages of five and twenty-one years. Any child
3 whose fifth birthday occurs before the first day of ~~[August]~~ **October** shall be deemed to have
4 attained the age of five years at the commencement of the school year beginning in that calendar
5 year or at the commencement of the summer school session immediately prior to the school term
6 beginning in the school year beginning in that calendar year, whichever is earlier, for the purpose
7 of apportioning state school funds and for all other purposes.

8 2. Public schools may establish family literacy programs for children of all ages and their
9 families.

10 3. The department of elementary and secondary education shall not use school for
11 kindergarten pupils in the summer preceding such pupils' regular fall starting date as an element
12 of the standards of the Missouri school improvement program.

160.053. 1. If a school district maintains a prekindergarten program, a child is eligible
2 for admission to that prekindergarten program only if the child has reached the age of three
3 before the first day of ~~[August]~~ **October** of the school year beginning in that calendar year. If
4 a school district maintains a kindergarten program, a child is eligible for admission 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.

5 kindergarten and to the summer school session immediately preceding kindergarten, if offered,
6 if the child reaches the age of five before the first day of ~~[August]~~ **October** of the school year
7 beginning in that calendar year or if the child is a military dependent who has successfully
8 completed an accredited prekindergarten program or has attended an accredited kindergarten
9 program in another state. A child is eligible for admission to first grade if the child reaches the
10 age of six before the first day of ~~[August]~~ **October** of the school year beginning in that calendar
11 year or if the child is a military dependent who has successfully completed an accredited
12 kindergarten program in another state.

13 ~~2. [Any kindergarten or grade one pupil beginning the school term and any pupil~~
14 ~~beginning summer school prior to a kindergarten school term in a metropolitan school district~~
15 ~~or an urban school district containing the greater part of the population of a city which has more~~
16 ~~than three hundred thousand inhabitants pursuant to section 160.054 or 160.055 and~~
17 ~~subsequently transferring to another school district in this state in which the child's birth date~~
18 ~~would preclude such child's eligibility for entrance shall be deemed eligible for attendance and~~
19 ~~shall not be required to meet the minimum age requirements. The receiving school district shall~~
20 ~~receive state aid for the child, notwithstanding the provisions of section 160.051.~~

21 ~~———3.] Any child who completes the kindergarten year shall not be required to meet the age~~
22 ~~requirements of a district for entrance into grade one.~~

23 ~~[4.] 3. The provisions of this section relating to kindergarten instruction [and state aid~~
24 ~~therefor] shall not apply during any particular school year to those districts which do not provide~~
25 ~~kindergarten classes that year.~~

163.018. 1. Notwithstanding the definition of “average daily attendance” in subdivision
2 (2) of section 163.011 to the contrary, pupils between the ages of three and five who are eligible
3 for free and reduced price lunch and attend an early childhood education program that is operated
4 by and in a district or by a charter school that has declared itself as a local educational agency
5 providing full-day kindergarten and that meets standards established by the state board of
6 education shall be included in the district’s or charter school’s calculation of average daily
7 attendance. The total number of such pupils included in the district’s or charter school’s
8 calculation of average daily attendance shall not exceed four percent of the total number of pupils
9 who are eligible for free and reduced price lunch between the ages of five and eighteen who are
10 included in the district’s or charter school’s calculation of average daily attendance.

11 2. (1) For any district that has been declared unaccredited by the state board of education
12 and remains unaccredited as of July 1, 2015, and for any charter school located in said district,
13 the provisions of subsection 1 of this section shall become applicable during the 2015-16 school
14 year.

15 (2) For any district that is declared unaccredited by the state board of education after July
16 1, 2015, and for any charter school located in said district, the provisions of subsection 1 of this
17 section shall become applicable immediately upon such declaration.

18 (3) For any district that has been declared provisionally accredited by the state board of
19 education and remains provisionally accredited as of July 1, 2016, and for any charter school
20 located in said district, the provisions of subsection 1 of this section shall become applicable
21 beginning in the 2016-17 school year.

22 (4) For any district that is declared provisionally accredited by the state board of
23 education after July 1, 2016, and for any charter school located in said district, the provisions of
24 this section shall become applicable beginning in the 2016-17 school year or immediately upon
25 such declaration, whichever is later.

26 (5) For all other districts and charter schools, the provisions of subsection 1 of this
27 section shall become effective in any school year subsequent to a school year in which the
28 amount appropriated for subsections 1 and 2 of section 163.031 is equal to or exceeds the
29 amount necessary to fund the entire entitlement calculation determined by subsections 1 and 2
30 of section 163.031, and shall remain effective in all school years thereafter, irrespective of the
31 amount appropriated for subsections 1 and 2 of section 163.031 in any succeeding year.

32 3. This section shall not require school attendance beyond that mandated under section
33 167.031 and shall not change or amend the provisions of sections 160.051[;] **and** 160.053[;
34 160.054, and 160.055] relating to kindergarten attendance.

2 ~~[160.054. 1. Notwithstanding any provisions of sections 160.051 and~~
3 ~~160.053, to the contrary, beginning with the 1997-98 school year, all~~
4 ~~metropolitan school districts, except as provided in subsection 2 of this section,~~
5 ~~may establish and enforce a regulation which requires that a child shall have~~
6 ~~attained the age of three by August first for purposes of prekindergarten if a~~
7 ~~school district maintains such a program, the age of five for purposes of~~
8 ~~kindergarten and summer school prior to a kindergarten school term, and the age~~
9 ~~of six for purposes of grade one, on or before any date between August first and~~
10 ~~October first of that year. The school district shall receive state aid for any child~~
11 ~~admitted to kindergarten, summer school prior to kindergarten, or grade one~~
12 ~~pursuant to this section, notwithstanding the provisions of section 160.051.~~

13 ~~2. Any kindergarten or grade one pupil beginning the school term and~~
14 ~~any pupil beginning summer school prior to a kindergarten school term in a~~
15 ~~metropolitan school district and subsequently transferring to another school~~
16 ~~district in this state in which the child's birth date would preclude such child's~~
17 ~~eligibility for entrance shall be deemed eligible for attendance and shall not be~~
18 ~~required to meet the minimum age requirements. The receiving school district~~
19 ~~shall receive state aid for the child, notwithstanding the provisions of section~~
~~160.051.~~

20 ~~3. Any child who completes the kindergarten year in a metropolitan~~
21 ~~school district shall not be required to meet the minimum age requirements of~~
22 ~~another school district in this state for entrance into grade one.~~

23 ~~4. The provisions of subsections 1 and 2 of this section, relating to~~
24 ~~kindergarten instruction and state aid therefor, shall not apply during any~~
25 ~~particular school year to those districts which do not provide kindergarten classes~~
26 ~~that year.]~~
27

~~[160.055. 1. Notwithstanding any provisions of sections 160.051 and~~
2 ~~160.053, to the contrary, beginning with the 1997-98 school year, all urban~~
3 ~~school districts containing the greater part of the population of a city which has~~
4 ~~more than three hundred thousand inhabitants, except as provided in subsection~~
5 ~~2 of this section, may establish and enforce a regulation which requires that a~~
6 ~~child shall have attained the age of three by August first for purposes of~~
7 ~~prekindergarten if a school district maintains such a program, the age of five for~~
8 ~~purposes of kindergarten and summer school prior to a kindergarten school term,~~
9 ~~and the age of six for purposes of grade one, on or before any date between~~
10 ~~August first and October first of that year. The school district shall receive state~~
11 ~~aid for any child admitted to kindergarten, summer school prior to kindergarten,~~
12 ~~or grade one pursuant to this section, notwithstanding the provisions of section~~
13 ~~160.051.~~

14 ~~2. Any kindergarten or grade one pupil beginning the school term and~~
15 ~~any pupil beginning summer school prior to a kindergarten school term in an~~
16 ~~urban school district in this state containing the greater part of the population of~~
17 ~~a city which has more than three hundred thousand inhabitants and subsequently~~
18 ~~transferring to another school district in this state in which the child's birth date~~
19 ~~would preclude such child's eligibility for entrance shall be deemed eligible for~~
20 ~~attendance and shall not be required to meet the minimum age requirements. The~~
21 ~~receiving school district shall receive state aid for the child, notwithstanding the~~
22 ~~provisions of section 160.051.~~

23 ~~3. Any child who completes the kindergarten year in an urban school~~
24 ~~district containing the greater part of the population of a city which has more than~~
25 ~~three hundred thousand inhabitants shall not be required to meet the minimum~~
26 ~~age requirements of another school district in this state for entrance into grade~~
27 ~~one.~~

28 ~~4. The provisions of subsections 1 and 2 of this section, relating to~~
29 ~~kindergarten instruction and state aid therefor, shall not apply during any~~
30 ~~particular school year to those districts which do not provide kindergarten classes~~
31 ~~that year.]~~

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