

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2376
101ST GENERAL ASSEMBLY

4798H.02C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 163, RSMo, by adding thereto one new section relating to residency of children in state custody.

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

Section A. Chapter 163, RSMo, is amended by adding thereto one new section, to be known as section 163.063, to read as follows:

163.063. 1. Notwithstanding any other provision of law to the contrary, for the purpose of determining state and local funding for a child's education, the residency of a child who is in state custody under state law shall be the location where the child resides.

2. For the purpose of determining state and local funding for a child's education, if the child resides in a residential treatment facility or other facility and is unable to attend in the public school district where the child resides, either because the child may be a safety risk or the child has behavioral conditions that support the need to educate the child on such facility's site or campus, the school district shall pass through to such facility at least eighty percent of any state or local moneys paid to the district on a per-pupil basis for such child in addition to any other moneys available to the school district through the department of elementary and secondary education for such child.

3. If the school district provides a teacher or other educational resources to such residential treatment facility or other facility, the district may use moneys provided under subsection 2 of this section to offset the cost of such teacher or other educational resources that are directly attributable to such child in state custody at such facility's site or campus. Such facility shall be afforded reasonable costs associated with such child's education up to the average per-pupil cost. No such facility shall be required to offset the costs to the child's school district for the education of such child as long as

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.

19 **such costs of education do not exceed the average per-pupil spending on an annual basis**
20 **within the school district.**

21 **4. The school district shall provide an annual accounting to the residential**
22 **treatment facility or other facility and shall either support or approve the facility's**
23 **education plan for such child or provide for the child's education on such facility's site**
24 **or campus.**

25 **5. The provisions of this section shall not apply to school boards authorized**
26 **under sections 162.670 to 162.999.**

✓