

Policy BBBB-2: SCHOOL BOARD BALLOT ISSUES

Status: DRAFT

Original Adopted Date: Pending

**24D UPDATE EXPLANATION
(Version 2)**

This version of policy BBBB applies only to school districts located wholly or partially in Clay, Jackson, Jefferson, St. Charles, and St. Louis counties, or in a city with a population greater than 30,000.

MSBA has updated this policy to be more comprehensive and to include references to new laws.

Section 162.563, RSMo., now allows school boards to create subdivisions for the purpose of electing board members. The district board of directors or district voters can initiate the process.

Under Senate Bill 727 (2024), beginning in the 2026–27 school year, districts located wholly or partially in Clay, Jackson, Jefferson, St. Charles, and St. Louis county, or in a city with a population greater than 30,000, cannot establish a calendar with less than 169 school days. The exception to this rule is if the voters in the district authorize a calendar with fewer days (usually a four-day school week) through a ballot measure. Even then, the district would still need to have a calendar with at least 142 school days. Please note that if your district would like to continue offering a school calendar with fewer than 169 days, it should seek voter approval in the next two years for implementation in the 2026–27 school year.

MSBA has also added a reference to a ballot issue to rescind a tax levy intended to pay for the transportation of students not otherwise entitled to transportation. That election is discussed in detail in § 167.232, RSMo.

MSBA has added a section on changing a district's name. Many districts might not be aware that there is a formal, legal process to do so. In general, boards that would like to make this change must notify the public as detailed in state statute. If at least 20 resident voters sign a petition challenging a name change, the issue will be put on the ballot. Otherwise, the board may vote to change the name, but the vote must be unanimous. For more information, see § 162.321, RSMo.

(Districts Located Wholly or Partially in a City with a Population Greater than 30,000 or a Charter County)

The school board of the district may place issues on the ballot as needed or as required by law.

Certification of Ballot Language

The board will approve ballot language before any ballot issue is submitted to the election authority for inclusion on the ballot. The superintendent is authorized to have ballot language drafted or reviewed by an attorney prior to board approval. In accordance with law, the superintendent or designee will notify the election authority of the ballot issue and provide the language for the ballot no later than 5:00 p.m. on the tenth Tuesday prior to the election. The superintendent or designee may send the required notices by facsimile transmission as long as the election authority receives the original copy of the notice within three business days of the facsimile.

If there will be no additional cost for printing or reprinting the ballots, or if the board agrees to pay any costs incurred, the board may seek a court order to add an issue to or remove an issue from the ballot, as long as the notification occurs no later than 5:00 p.m. on the eighth Tuesday before the election.

Accepting Election Results

The board will be presented with official election results at the next regular meeting scheduled after the district receives the results. The board will accept the results or, alternatively, decide whether to take action to challenge the results.

Types of Ballot Issues Submitted by the District

Bond Issues

When the board deems it necessary to raise capital funds, the board may vote to submit a bond issue to the voters. All bond issues must be in furtherance of the district's facility plan and should ~~only~~ be submitted ~~only~~ after careful study of the district's needs and after consultation with members of the public and the professionals necessary to accurately determine the cost and feasibility of the project. A bond issue passes with a four-sevenths vote at the general municipal election (April), primary election (August of even-numbered years), or a general election (November of even-numbered years). A two-thirds majority is required for all other elections. Following approval by the voters, the disposition of the bonded indebtedness will be in accordance with law.

Levy Issues

By law, the board may set a tax rate of \$2.75 on the hundred-dollar assessed valuation without an election. The board may vote to submit a levy issue to the voters when the board deems it necessary to levy taxes in excess of that amount. In addition, the board must submit a proposition to the voters as to whether the rate of taxation shall be increased by the board if the board receives a written petition signed by voters requesting the proposition. The petition must include voter signatures numbering at least ten percent of the votes cast for the member of the school board receiving the greatest number of votes cast at the last school election in which board members were elected. Levy issues pass with a majority vote if the proposed levy is under \$6.00. A proposed levy in excess of \$6.00 requires a two-thirds vote to pass.

Waiver of Proposition C Rollback

By law, the board must reduce the total operating levy of the district to decrease the revenue the district would receive by an amount equal to 50 percent of the previous fiscal year's state sales tax receipts, with some exceptions. The board may submit an issue to the voters to forgo all or part of this reduction when the board deems it necessary to increase the revenue received by the district. This issue passes with a majority vote.

Transportation of Students Living Less than One Mile from School

If the district wishes to transport students living less than one mile from school and if an increase in the tax levy of the district is required to provide transportation, the board shall submit the issue at an election. This issue passes with a two-thirds majority. ~~This levy may be rescinded after another ballot issue is submitted to the voters, in accordance with law.~~

Boundary Change

The board must submit a proposition to change the boundary of the school district if it receives a written petition signed by voters requesting the proposition. The petition must include voter signatures numbering at least ten percent of the votes cast for school board members in the last annual school election in the district. ~~A petition meeting this criteria must and~~ be submitted to the school boards of all districts affected by the proposed boundary change. Once the boards ~~has have~~ received ~~a the~~ ~~petition meeting this criteria~~, the question will be submitted at the next election, ~~except as allowed by law~~. If a board of arbitration appointed by the State Board of Education has previously rejected a boundary change, a petition to change the same or substantially same boundary cannot be filed with the district until the expiration of two years from the date of the election at which the previous boundary change was submitted to the voters of the district.

The boundary will be immediately changed if a majority of those voting in all districts affected vote for the boundary change. If the voters in one of the districts approve the change and voters in another do not, any of the districts affected or a majority of the signers of the petition may appeal in writing to the State Board of Education within 15 calendar days of the election. The State Board will appoint a board of arbitration to settle the matter.

The board of arbitration will base its decision on the following factors:

1. The presence of school-age children in the affected area.
2. The presence of actual educational harm to school-age children, either due to a significant difference in the time involved in transporting students or educational deficiencies in the district that would have its boundary adversely affected.
3. The presence of an educational necessity, not of a commercial benefit to landowners or to the district benefiting from the proposed boundary adjustment.

Changing the District Name

If the board seeks to officially change the name of the district, it will first give notice to the public, as required by law, of the date the board will vote to change the name. If a petition protesting the change and signed by 20 resident voters is filed on or before that date, the board will submit the question at the next April election. The issue will pass with a majority vote. If a petition is not submitted, the board may vote to change the name with a unanimous vote.

Creating Subdistricts

The board must submit a proposition to voters to determine whether the district should be divided into subdistricts for the election of school board members when the board receives a written petition signed by the appropriate number of voters, as required by law. The board may also initiate a ballot issue on this subject as allowed by law.

Consolidation

The board, by a majority vote, may call for an election on a proposal to consolidate with one or more adjacent districts. The issue will be put on the ballot if the school board(s) of the district(s) with which the board seeks to consolidate likewise vote(s) to put the issue on the ballot.

The board must submit a proposition to consolidate the district with one or more adjacent districts if it receives a written petition signed by voters requesting the proposition. The petition must include voter signatures numbering at least ten percent of the votes cast for school board members in the last election in which board members were elected, or 100 voters, whichever is the higher number. A petition meeting ~~this~~these criteria must be submitted to the school boards of all districts involved in the consolidation. Once the board has received a petition meeting ~~this~~these criteria, the question will be submitted at the next election.

A plat of the proposed new district will be published and posted with the notices of election. The results of the election will be certified to the state commissioner of education by the board secretary of each district or by the election authority charged with conducting the elections. If the measure passes with a majority vote in each affected district, the state commissioner will declare the new district formed as of July 1 following the submission of the question.

Annexation to One or More Adjacent Districts

The board must submit a proposition for the district to be attached to one or more adjacent districts if it receives a written petition signed by voters requesting the proposition. The petition must include voter signatures numbering at least ten percent of the votes cast for school board members in the last election in which board members were elected, or a majority of the voters of the district, whichever is the lesser.

Alternatively, the board may, by a majority vote, submit a plan to the voters of the Smithville R-II School District to attach the Smithville R-II School District to one or more adjacent districts and call for an election.

A plat of the proposed new district will be published and posted with the notices of election. If a majority of the votes cast in the election favor annexation, the board secretary will certify the fact, with a copy of the record, to the board and to the school boards of the districts to which annexation is proposed. If a majority of all the members of the school boards of each district the Smithville R-II School District seeks to be attached to vote in favor of annexation, the boundary lines of the affected districts shall be changed to include the Smithville R-II School District.

Expanding a Community College District to Include the School District Boundaries

If the board receives a petition to expand the boundaries of a community college district to include the boundaries of the school district, and the petition has ~~received a sufficient number of~~ enough signatures, the board will submit the question to voters as required by law. The petition must be signed by voters equal in number to ten percent of those voting in the last school election at which board members were elected or must be signed by a majority of the voters of the district, whichever is the lesser.

Dissolution

The board must submit a proposition to dissolve the district if it receives a written petition signed by voters requesting the proposition. The petition must include voter signatures numbering at least ten percent of the votes

cast for school board members in the last election in which board members were elected, or 100 voters, whichever is greater. The question will be submitted at a municipal election. If a majority of voters voting favor dissolution, the district will be dissolved and may be annexed to one or more other districts by the State Board of Education, in accordance with law.

Establishing a Four-Day School Week

Beginning in the 2026–27 school year, before the school district may establish a calendar with a four-day school week in lieu of a five-day school week, the board must, by a majority vote, submit a proposal for approval by the district voters through a ballot measure. The ballot measure shall be submitted to voters at the next date available for public elections and no later than July 1 of the school year in which the four-day school week is proposed to commence. The four-day school week calendar shall become effective if a majority of qualified voters approve the measure.

Elections Not Restricted by Date

School districts do not have to wait until an official election date and may call a special election for:

1. Bond elections necessitated by fire, vandalism, or natural disaster.
2. Special elections to decide tie votes or election contests.
3. Tax elections necessitated by a financial hardship due to a five percent or greater decline in per-pupil state revenue to a school district from the previous year.

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Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References	Description
§ 115.123, RSMo.	State Statute
§ 115.125, RSMo.	State Statute
§ 115.646, RSMo.	State Statute
§ 162.223, RSMo.	State Statute
§ 162.321, RSMo.	State Statute
§ 162.431, RSMo.	State Statute
§ 162.441, RSMo.	State Statute
§ 162.451, RSMo.	State Statute
§ 162.563, RSMo.	State Statute
§ 164.013, RSMo.	State Statute
§ 164.021, RSMo.	State Statute
§ 164.031, RSMo.	State Statute
§ 164.081, RSMo.	State Statute
§ 164.121, RSMo.	State Statute
§ 164.131, RSMo.	State Statute
§ 164.141, RSMo.	State Statute
§ 164.151, RSMo.	State Statute
§ 167.231, RSMo.	State Statute
§ 167.232, RSMo.	State Statute

State References

Mo. Const. art.VI § 26(b)

Mo. Const. art.X § 11(c)

Cross References

DC-1

DC-2-AP(1)

DCB

Description

[State Constitution](#)

[State Constitution](#)

Description

[TAXING AND BORROWING AUTHORITY AND LIMITATIONS](#)

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[POLITICAL CAMPAIGNS](#)