

MISSOURI TITLE 11. EDUCATION AND LIBRARIES CHAPTER 162. SCHOOL DISTRICTS EDUCATIONAL SERVICE AGENCIES § 162.1180. Instructional services and programs, educational service agency may be designated, organization, meetings 1. Any public school district or districts may designate an educational service agency, as defined in [20 U.S.C. Section 7801](#), for the purpose of developing, managing, and providing instructional services or programs to the participating school district or districts. 2. The educational service agency shall be designated by contract which is to be authorized by the board of education of the participating district and shall operate pursuant to standards adopted by the state board of education. 3. An educational service agency shall be organized as a nonprofit corporation as provided pursuant to chapter 355, RSMo, with the method of selection of officers to be governed by [section 355.326, RSMo](#). 4. An educational service agency shall be considered a political subdivision of the state as defined in [section 105.450, RSMo](#), with the governing board and employees subject to the conflict of interest prohibitions provided in chapter 105, RSMo. 5. All meetings of the governing board of the educational service agency shall be subject to the provisions of [sections 610.010 to 610.035, RSMo](#). 6. Nothing in this section shall relieve a participating school district from the responsibility of providing the instructional service or program which it has contracted for through an educational service agency. **HISTORY: L. 2003 S.B. 686**

TITLE 8. PUBLIC OFFICERS AND EMPLOYEES, BONDS AND RECORDS CHAPTER 105. PUBLIC OFFICERS AND EMPLOYEES--MISCELLANEOUS PROVISIONS REGULATION OF CONFLICT OF INTEREST AND LOBBYING

§ 105.450. Definitions As used in sections 105.450 to 105.496 and sections 105.955 to 105.963, unless the context clearly requires otherwise, the following terms mean: (1) "Adversary proceeding", any proceeding in which a record of the proceedings may be kept and maintained as a public record at the request of either party by a court reporter, notary public or other person authorized to keep such record by law or by any rule or regulation of the agency conducting the hearing; or from which an appeal may be taken directly or indirectly, or any proceeding from the decision of which any party must be granted, on request, a hearing de novo; or any arbitration proceeding; or a proceeding of a personnel review board of a political subdivision; or an investigative proceeding initiated by an official, department, division, or agency which pertains to matters which, depending on the conclusion of the investigation, could lead to a judicial or administrative proceeding being initiated against the party by the official, department, division or agency; (2) "Business entity", a corporation, association, firm, partnership, proprietorship, or business entity of any kind or character; (3) "Business with which a person is associated": (a) Any sole proprietorship owned by himself or herself, the person's spouse or any dependent child in the person's custody; (b) Any partnership or joint venture in which the person or the person's spouse is a partner, other than as a limited partner of a limited partnership, and any corporation or limited partnership in which the person is an officer or director or of which either the person or the person's spouse or dependent child in the person's custody whether singularly or collectively owns in excess of ten percent of the outstanding shares of any class of stock or partnership units; or (c) Any trust in which the person is a trustee or settlor or in which the person or the person's spouse or dependent child whether singularly or collectively is a beneficiary or holder of a reversionary interest of ten percent or more of the corpus of the trust; (4)

"Commission", the Missouri ethics commission established in section 105.955; (5) "Confidential information", all information whether transmitted orally or in writing which is of such a nature that it is not, at that time, a matter of public record or public knowledge; (6) "Decision-making public servant", an official, appointee or employee of the offices or entities delineated in paragraphs (a) through (h) of this subdivision who exercises supervisory authority over the negotiation of contracts, or has the legal authority to adopt or vote on the adoption of rules and regulations with the force of law or exercises primary supervisory responsibility over purchasing decisions. The following officials or entities shall be responsible for designating a decision-making public servant: (a) The governing body of the political subdivision with a general operating budget in excess of one million dollars; (b) A department director; (c) A judge vested with judicial power by article V of the Constitution of the state of Missouri; (d) Any commission empowered by interstate compact; (e) A statewide elected official; (f) The speaker of the house of representatives; (g) The president pro tem of the senate; (h) The president or chancellor of a state institution of higher education; (7) "Dependent child" or "dependent child in the person's custody", all children, stepchildren, foster children and wards under the age of eighteen residing in the person's household and who receive in excess of fifty percent of their support from the person; (ii) a former county superintendent; or (8) "Political subdivision" shall include any political subdivision of the state, and any special district or subdistrict; (9) "Public document", a state tax return or a document or other record maintained for public inspection without limitation on the right of access to it and a document filed in a juvenile court proceeding; (10) "Substantial interest", ownership by the individual, the individual's spouse, or the individual's dependent children, whether singularly or collectively, directly or indirectly, of ten percent or more of any business entity, or of an interest having a value of ten thousand dollars or more, or the receipt by an individual, the individual's spouse or the individual's dependent children, whether singularly or collectively, of a salary, gratuity, or other compensation or remuneration of five thousand dollars, or more, per year from any individual, partnership, organization, or association within any calendar year; (11) "Substantial personal or private interest in any measure, bill, order or ordinance", any interest in a measure, bill, order or ordinance which results from a substantial interest in a business entity. **HISTORY:** L. 1965 p. 229 § 1, A.L. 1978 H.B. 1610 § 2, A.L. 1991 S.B. 262, A.L. 1997 S.B. 16