

SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1490

AN ACT

To repeal sections 160.514, 160.518, 160.526, 160.820, and 161.092, RSMo, and to enact in lieu thereof eight new sections relating to elementary and secondary education standards, with an emergency clause.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
AS FOLLOWS:

1 Section A. Sections 160.514, 160.518, 160.526, 160.820, and
2 161.092, RSMo, are repealed and eight new sections enacted in
3 lieu thereof, to be known as sections 160.514, 160.516, 160.518,
4 160.526, 160.820, 161.092, 161.096, and 161.855, to read as
5 follows:

6 160.514. 1. By rule and regulation, and consistent with
7 the provisions contained in section 160.526, the state board of
8 education shall adopt no more than seventy-five academic
9 performance standards which establish the knowledge, skills and
10 competencies necessary for students to successfully advance
11 through the public elementary and secondary education system of
12 this state; lead to or qualify a student for high school
13 graduation; prepare students for postsecondary education or the
14 workplace or both; and are necessary in this era to preserve the
15 rights and liberties of the people.

16 2. [The state board of education shall convene work groups

1 composed of education professionals to develop and recommend
2 academic performance standards. Separate work groups composed of
3 professionals with appropriate expertise shall be convened for
4 each subject area listed in section 160.518. Active classroom
5 teachers shall constitute the majority of each work group.
6 Teachers serving on such work groups shall be selected by
7 professional teachers' organizations of the state. Additional
8 teachers who are not members of such organizations may serve by
9 appointment of the state board of education] Whenever the state
10 board of education develops, evaluates, modifies, or revises
11 academic performance standards or learning standards, it shall
12 convene work groups composed of education professionals to
13 develop and recommend such academic performance standards or
14 learning standards. Separate work groups composed of education
15 professionals shall be convened for the following subject areas:
16 English language arts; mathematics; science; and history and
17 governments. The subject area of history and governments shall
18 incorporate geography and the history and governments of the
19 United States and the world. For each subject area in which the
20 state board of education develops, evaluates, modifies, or
21 revises academic performance standards or learning standards, the
22 state board shall convene two separate work groups, one work
23 group for standards for grades kindergarten through five and a
24 second work group for standards for grades six through twelve.
25 Each work group shall be composed of sixteen members. A person
26 may be selected to serve on more than one work group if he or she
27 is qualified. No work group member shall be required to be a
28 member of a professional teacher association. An education

1 professional serving on a work group shall be a Missouri resident
2 for at least three years and have taught in the work group's
3 subject area for at least ten years or have ten years of
4 experience in that subject area, except for the parents appointed
5 by the president pro tempore of the senate and the speaker of the
6 house of representatives. Work group members shall be selected
7 in the following manner:

8 (1) Two parents of children currently enrolled in grades
9 kindergarten through twelve shall be selected by the president
10 pro tempore of the senate;

11 (2) Two parents of children currently enrolled in grades
12 kindergarten through twelve shall be selected by the speaker of
13 the house of representatives;

14 (3) One member selected by the state board of education
15 from names submitted to it by the professional teachers'
16 organizations of the state;

17 (4) One member selected by a statewide association of
18 Missouri school boards;

19 (5) One member selected by the state board of education
20 from names submitted to it by a statewide coalition of school
21 administrators;

22 (6) Two members selected by the president pro tempore of
23 the senate in addition to the members selected under subdivision
24 (1) of this subsection;

25 (7) Two members selected by the speaker of the house of
26 representatives in addition to the members selected under
27 subdivision (2) of this subsection;

28 (8) One member selected by the governor;

1 (9) One member selected by the lieutenant governor;

2 (10) One member selected by the commissioner of higher
3 education;

4 (11) One member selected by the state board of education
5 from names submitted to it by nationally-recognized career and
6 technical education student organizations operating in Missouri;

7 (12) One member selected by the state board of education
8 from names submitted to it by the heads of state-approved
9 baccalaureate-level teacher preparation programs located in
10 Missouri.

11 3. The state board of education shall hold at least three
12 public hearings whenever it develops, evaluates, modifies, or
13 revises academic performance standards or learning standards.
14 The hearings shall provide an opportunity to receive public
15 testimony, including but not limited to testimony from educators
16 at all levels in the state, local school boards, parents,
17 representatives from business and industry, labor and community
18 leaders, members of the general assembly, and the general public.
19 The state board of education shall hold the first hearing within
20 thirty days of the work groups being convened. The state board
21 of education shall hold the second hearing approximately six
22 months after it holds the first hearing. The state board of
23 education shall hold the third hearing when the work groups
24 submit the academic performance standards they have developed to
25 the state board. The state board of education shall also solicit
26 comments and feedback on the academic performance standards or
27 learning standards from the joint committee on education and from
28 academic researchers. All comments shall be made publicly

1 available.

2 4. The state board of education shall develop written
3 curriculum frameworks that may be used by school districts. Such
4 curriculum frameworks shall incorporate the academic performance
5 standards adopted by the state board of education pursuant to
6 subsection 1 of this section. The curriculum frameworks shall
7 provide guidance to school districts but shall not be mandates
8 for local school boards in the adoption or development of written
9 curricula as required by subsection ~~[4]~~ 5 of this section.

10 ~~[4.]~~ 5. Not later than one year after the development of
11 written curriculum frameworks pursuant to subsection ~~[3]~~ 4 of
12 this section, the board of education of each school district in
13 the state shall adopt or develop a written curriculum designed to
14 ensure that students attain the knowledge, skills and
15 competencies established pursuant to subsection 1 of this
16 section. Local school boards are encouraged to adopt or develop
17 curricula that are rigorous and ambitious and may, but are not
18 required to, use the curriculum frameworks developed pursuant to
19 subsection ~~[3]~~ 4 of this section. Nothing in this section or
20 this act shall prohibit school districts, as determined by local
21 boards of education, to develop or adopt curricula that provide
22 for academic standards in addition to those identified by the
23 state board of education pursuant to subsection 1 of this
24 section.

25 6. Local school districts and charter schools may adopt
26 their own education standards, in addition to those already
27 adopted by the state, provided the additional standards are in
28 the public domain.

1 160.516. 1. Notwithstanding the provisions of section
2 160.514, the state board of education and the department of
3 elementary and secondary education shall not be authorized and
4 are expressly prohibited from mandating the curriculum,
5 textbooks, or other instructional materials to be used in public
6 schools. Each local school board shall be responsible for the
7 approval and adoption of curriculum used by the school district.
8 The provisions of this subsection shall not apply to schools and
9 instructional programs administered by the state board of
10 education and the department of elementary and secondary
11 education or to school districts that are classified as
12 unaccredited.

13 2. The state board of education and the department of
14 elementary and secondary education shall not require districts to
15 use any appendix to the common core state standards.

16 160.518. 1. Consistent with the provisions contained in
17 section 160.526, the state board of education shall develop,
18 modify, and revise, as necessary, a statewide assessment system
19 that provides maximum flexibility for local school districts to
20 determine the degree to which students in the public schools of
21 the state are proficient in the knowledge, skills, and
22 competencies adopted by such board pursuant to [subsection 1 of]
23 section 160.514. The statewide assessment system shall assess
24 problem solving, analytical ability, evaluation, creativity, and
25 application ability in the different content areas and shall be
26 performance-based to identify what students know, as well as what
27 they are able to do, and shall enable teachers to evaluate actual
28 academic performance. The statewide assessment system shall

1 neither promote nor prohibit rote memorization and shall not
2 include existing versions of tests approved for use pursuant to
3 the provisions of section 160.257, nor enhanced versions of such
4 tests. After the state board of education adopts and implements
5 academic performance standards as required under section 161.855,
6 the state board of education shall develop and adopt a criterion-
7 referenced assessment instrument under this section based on the
8 academic performance standards adopted under section 161.855.

9 The statewide assessment system shall measure, where appropriate
10 by grade level, a student's knowledge of academic subjects
11 including, but not limited to, reading skills, writing skills,
12 mathematics skills, world and American history, forms of
13 government, geography and science.

14 2. The statewide assessment system shall only permit the
15 academic performance of students in each school in the state to
16 be tracked against prior academic performance in the same school
17 and shall not be transferred out of the state in any form for
18 reporting to non-state education entities.

19 3. The state board of education shall suggest, but not
20 mandate, criteria for a school to demonstrate that its students
21 learn the knowledge, skills and competencies at exemplary levels
22 worthy of imitation by students in other schools in the state and
23 nation. Exemplary levels shall be measured by the statewide
24 assessment system developed pursuant to subsection 1 of this
25 section, or until said statewide assessment system is available,
26 by indicators approved for such use by the state board of
27 education. The provisions of other law to the contrary
28 notwithstanding, the commissioner of education may, upon request

1 of the school district, present a plan for the waiver of rules
2 and regulations to any such school, to be known as "Outstanding
3 Schools Waivers", consistent with the provisions of subsection 4
4 of this section.

5 4. For any school that meets the criteria established by
6 the state board of education for three successive school years
7 pursuant to the provisions of subsection 3 of this section, by
8 August first following the third such school year, the
9 commissioner of education shall present a plan to the
10 superintendent of the school district in which such school is
11 located for the waiver of rules and regulations to promote
12 flexibility in the operations of the school and to enhance and
13 encourage efficiency in the delivery of instructional services.
14 The provisions of other law to the contrary notwithstanding, the
15 plan presented to the superintendent shall provide a summary
16 waiver, with no conditions, for the pupil testing requirements
17 pursuant to section 160.257, in the school. Further, the
18 provisions of other law to the contrary notwithstanding, the plan
19 shall detail a means for the waiver of requirements otherwise
20 imposed on the school related to the authority of the state board
21 of education to classify school districts pursuant to subdivision
22 (9) of section 161.092 and such other rules and regulations as
23 determined by the commissioner of education, excepting such
24 waivers shall be confined to the school and not other schools in
25 the district unless such other schools meet the criteria
26 established by the state board of education consistent with
27 subsection 3 of this section and the waivers shall not include
28 the requirements contained in this section and section 160.514.

1 Any waiver provided to any school as outlined in this subsection
2 shall be void on June thirtieth of any school year in which the
3 school fails to meet the criteria established by the state board
4 of education consistent with subsection 3 of this section.

5 5. The score on any assessment test developed pursuant to
6 this section or this chapter of any student for whom English is a
7 second language shall not be counted until such time as such
8 student has been educated for three full school years in a school
9 in this state, or in any other state, in which English is the
10 primary language.

11 6. The state board of education shall identify or, if
12 necessary, establish one or more developmentally appropriate
13 alternate assessments for students who receive special
14 educational services, as that term is defined pursuant to section
15 162.675. In the development of such alternate assessments, the
16 state board shall establish an advisory panel consisting of a
17 majority of active special education teachers residing in
18 Missouri and other education professionals as appropriate to
19 research available assessment options. The advisory panel shall
20 attempt to identify preexisting developmentally appropriate
21 alternate assessments but shall, if necessary, develop alternate
22 assessments and recommend one or more alternate assessments for
23 adoption by the state board. The state board shall consider the
24 recommendations of the advisory council in establishing such
25 alternate assessment or assessments. Any student who receives
26 special educational services, as that term is defined pursuant to
27 section 162.675, shall be assessed by an alternate assessment
28 established pursuant to this subsection upon a determination by

1 the student's individualized education program team that such
2 alternate assessment is more appropriate to assess the student's
3 knowledge, skills and competencies than the assessment developed
4 pursuant to subsection 1 of this section. The alternate
5 assessment shall evaluate the student's independent living
6 skills, which include how effectively the student addresses
7 common life demands and how well the student meets standards for
8 personal independence expected for someone in the student's age
9 group, sociocultural background, and community setting.

10 7. The state board of education shall also develop
11 recommendations regarding alternate assessments for any military
12 dependent who relocates to Missouri after the commencement of a
13 school term, in order to accommodate such student while ensuring
14 that he or she is proficient in the knowledge, skills, and
15 competencies adopted under section 160.514.

16 [8. Notwithstanding the provisions of subsections 1 to 7 of
17 this section, no later than June 30, 2006, the state board of
18 education shall administer the following adjustments to the
19 statewide assessment system:

20 (1) Align the performance standards of the statewide
21 assessment system so that such indicators meet, but do not
22 exceed, the performance standards of the National Assessment of
23 Education Progress (NAEP) exam;

24 (2) Institute yearly examination of students in the
25 required subject areas where compelled by existing federal
26 standards, as of August 28, 2004; and

27 (3) Administer any other adjustments that the state board
28 of education deems necessary in order to aid the state in

1 satisfying existing federal requirements, as of August 28, 2004,
2 including, but not limited to, the requirements contained in the
3 federal No Child Left Behind Act. Grade-level expectations shall
4 be considered when the state board of education establishes
5 performance standards.

6 9. By July 1, 2006, the state board of education shall
7 examine its rules and regulations and revise them to permit
8 waivers of resource and process standards based upon achievement
9 of performance profiles consistent with accreditation status.】

10 160.526. 1. In establishing, evaluating, modifying, and
11 revising the academic performance standards and learning
12 standards authorized by [subsection 1 of] section 160.514 and the
13 statewide assessment system authorized by subsection 1 of section
14 160.518, the state board of education shall consider the work
15 that has been done by other states, recognized regional and
16 national experts, professional education discipline-based
17 associations [and], other professional education associations,
18 the work product from the department of higher education's
19 curriculum alignment initiative, or any other work in the public
20 domain. [Further, in] After the effective date of this section,
21 when establishing the academic performance standards, learning
22 standards, and statewide assessment system, the state board of
23 education shall not adopt the work that has been done by
24 consortia of other states [and, subject to appropriations, may
25 contract with such consortia to implement the provisions of
26 sections 160.514 and 160.518].

27 2. The state board of education shall, by contract enlist
28 the assistance of such national experts[, as approved by the

1 commission established pursuant to section 160.510,] to receive
2 reports, advice and counsel on a regular basis pertaining to the
3 validity and reliability of the statewide assessment system. The
4 reports from such experts shall be received by the [commission,
5 which shall make a final determination concerning the reliability
6 and validity of the statewide assessment system] state board of
7 education. Within six months prior to implementation [of] or
8 modification or revision to the statewide assessment system, the
9 commissioner of education shall inform the president pro tempore
10 of the senate and the speaker of the house of representatives
11 about the procedures to implement, modify, or revise the
12 statewide assessment system, including a report related to the
13 reliability and validity of the assessment instruments, and the
14 general assembly may, within the next sixty legislative days,
15 veto such implementation, modification, or revision by concurrent
16 resolution adopted by majority vote of both the senate and the
17 house of representatives.

18 3. The commissioner of education shall establish a
19 procedure for the state board of education to regularly receive
20 advice and counsel from professional educators at all levels in
21 the state, district boards of education, parents, representatives
22 from business and industry, the general assembly, and labor and
23 community leaders pertaining to the implementation of sections
24 160.514 and 160.518. By December 31, 2014, the commissioner of
25 education shall revise this procedure to allow the state board of
26 education to regularly receive advice and counsel from
27 professional educators at all levels in the state, district
28 boards of education, parents, representatives from business and

1 industry, the general assembly, and labor and community leaders
2 whenever the state board develops, evaluates, modifies, or
3 revises academic performance standards, learning standards, or
4 the statewide assessment system under sections 160.514 and
5 160.518. The procedure shall include, at a minimum, the
6 appointment of ad hoc committees [and shall be in addition to the
7 advice and counsel obtained from the commission pursuant to
8 section 160.510].

9 160.820. In order to assist the corporation in achieving
10 the objectives identified in section 160.810, the department of
11 economic development, department of elementary and secondary
12 education, and department of higher education may contract with
13 the corporation for activities consistent with the corporation's
14 purpose, as specified in section 160.805, including but not
15 limited to the employment of any personnel of the corporation,
16 administrative services, and provision of office space. When
17 contracting with the corporation under the provisions of this
18 section, the departments [may directly enter into agreements with
19 the corporation and] shall [not] be bound by the provisions of
20 chapter 34.

21 161.092. The state board of education shall:

22 (1) Adopt rules governing its own proceedings and formulate
23 policies for the guidance of the commissioner of education and
24 the department of elementary and secondary education;

25 (2) Carry out the educational policies of the state
26 relating to public schools that are provided by law and supervise
27 instruction in the public schools;

28 (3) Direct the investment of all moneys received by the

1 state to be applied to the capital of any permanent fund
2 established for the support of public education within the
3 jurisdiction of the department of elementary and secondary
4 education and see that the funds are applied to the branches of
5 educational interest of the state that by grant, gift, devise or
6 law they were originally intended, and if necessary institute
7 suit for and collect the funds and return them to their
8 legitimate channels;

9 (4) Cause to be assembled information which will reflect
10 continuously the condition and management of the public schools
11 of the state;

12 (5) Require of county clerks or treasurers, boards of
13 education or other school officers, recorders and treasurers of
14 cities, towns and villages, copies of all records required to be
15 made by them and all other information in relation to the funds
16 and condition of schools and the management thereof that is
17 deemed necessary;

18 (6) Provide blanks suitable for use by officials in
19 reporting the information required by the board;

20 (7) When conditions demand, cause the laws relating to
21 schools to be published in a separate volume, with pertinent
22 notes and comments, for the guidance of those charged with the
23 execution of the laws;

24 (8) Grant, without fee except as provided in section
25 168.021, certificates of qualification and licenses to teach in
26 any of the public schools of the state, establish requirements
27 therefor, formulate regulations governing the issuance thereof,
28 and cause the certificates to be revoked for the reasons and in

1 the manner provided in section 168.071;

2 (9) Classify the public schools of the state, subject to
3 limitations provided by law and subdivision (14) of this section,
4 establish requirements for the schools of each class, and
5 formulate rules governing the inspection and accreditation of
6 schools preparatory to classification which shall allow
7 individual school districts that are accredited without provision
8 to determine targeted priorities for the district, plan of
9 action, resource needs for implementing the plan, and evaluation
10 criteria, with such requirements taking effect not less than two
11 years from the date of adoption of the proposed rule by the state
12 board of education, provided that this condition shall not apply
13 to any requirement for which a time line for adoption is mandated
14 in either federal or state law;

15 (10) Make an annual report on or before the first Wednesday
16 after the first day of January to the general assembly or, when
17 it is not in session, to the governor for publication and
18 transmission to the general assembly. The report shall be for
19 the last preceding school year, and shall include:

20 (a) A statement of the number of public schools in the
21 state, the number of pupils attending the schools, their sex, and
22 the branches taught;

23 (b) A statement of the number of teachers employed, their
24 sex, their professional training, and their average salary;

25 (c) A statement of the receipts and disbursements of public
26 school funds of every description, their sources, and the
27 purposes for which they were disbursed;

28 (d) Suggestions for the improvement of public schools; and

1 (e) Any other information relative to the educational
2 interests of the state that the law requires or the board deems
3 important;

4 (11) Make an annual report to the general assembly and the
5 governor concerning coordination with other agencies and
6 departments of government that support family literacy programs
7 and other services which influence educational attainment of
8 children of all ages;

9 (12) Require from the chief officer of each division of the
10 department of elementary and secondary education, on or before
11 the thirty-first day of August of each year, reports containing
12 information the board deems important and desires for
13 publication;

14 (13) Cause fifty copies of its annual report to be reserved
15 for the use of each division of the state department of
16 elementary and secondary education, and ten copies for
17 preservation in the state library;

18 (14) Promulgate rules under which the board shall classify
19 the public schools of the state; provided that the appropriate
20 scoring guides, instruments, and procedures used in determining
21 the accreditation status of a district shall be subject to a
22 public meeting upon notice in a newspaper of general circulation
23 in each of the three most populous cities in the state and also a
24 newspaper that is a certified minority business enterprise or
25 woman-owned business enterprise in each of the two most populous
26 cities in the state, and notice to each district board of
27 education, each superintendent of a school district, and to the
28 speaker of the house of representatives, the president pro tem of

1 the senate, and the members of the joint committee on education,
2 at least fourteen days in advance of the meeting, which shall be
3 conducted by the department of elementary and secondary education
4 not less than ninety days prior to their application in
5 accreditation, with all comments received to be reported to the
6 state board of education;

7 (15) Have other powers and duties prescribed by law.

8 161.096. 1. The state board of education shall promulgate
9 a rule relating to student data accessibility, transparency, and
10 accountability relating to the statewide longitudinal data
11 system. This rule shall mandate that the department of
12 elementary and secondary education do the following:

13 (1) Create and make publicly available a data inventory and
14 index of data elements with definitions of individual student
15 data fields in the student data system to include, but not be
16 limited to:

17 (a) Any personally identifiable student data required to be
18 reported by state and federal education laws; and

19 (b) Any other individual student data which has been
20 proposed for inclusion in the student data system with a
21 statement regarding the purpose or reason for the proposed
22 collection;

23 (2) Develop policies to comply with all relevant state and
24 federal privacy laws and policies, including but not limited to
25 the federal Family Educational Rights and Privacy Act (FERPA) and
26 other relevant privacy laws and policies. These policies shall
27 include, but not be limited to the following requirements:

28 (a) Access to personally identifiable student data in the

1 statewide longitudinal data system shall be restricted to:

2 a. The authorized staff of the department of elementary and
3 secondary education and the contractors working on behalf of the
4 department who require such access to perform their assigned
5 duties as required by law;

6 b. District administrators, teachers, and school personnel
7 who require such access to perform their assigned duties;

8 c. Students and their parents for their own data; and

9 d. The authorized staff of other state agencies in this
10 state as required by law and governed by interagency data sharing
11 agreements;

12 (b) The department of elementary and secondary education
13 shall develop criteria for the approval of research and data
14 requests from state and local agencies, researchers working on
15 behalf of the department, and the public;

16 (3) Shall not, unless otherwise provided by law and
17 authorized by policies adopted pursuant to this section, transfer
18 personally identifiable student data;

19 (4) Develop a detailed data security plan that includes:

20 (a) Guidelines for authorizing access to the student data
21 system and to individual student data including guidelines for
22 authentication of authorized access;

23 (b) Privacy compliance standards;

24 (c) Privacy and security audits;

25 (d) Breach planning, notification and procedures;

26 (e) Data retention and disposition policies; and

27 (f) Data security policies including electronic, physical,
28 and administrative safeguards, such as data encryption and

1 training of employees;

2 (5) Ensure routine and ongoing compliance by the department
3 of elementary and secondary education with FERPA, other relevant
4 privacy laws and policies, and the privacy and security policies
5 and procedures developed under the authority of this section,
6 including the performance of compliance audits;

7 (6) Ensure that any contracts that govern databases,
8 assessments, or instructional supports that include student or
9 redacted data and are outsourced to private vendors include
10 express provisions that safeguard privacy and security and
11 include penalties for noncompliance, except to a local service
12 provider for the limited purpose authorized by the school or
13 district. "Local service provider" shall mean a party engaged by
14 a school or district to provide a limited service supporting the
15 school's day-to-day operations or administrative needs,
16 including, but not limited to, transportation, meals, school
17 photography or yearbooks, and whose access to student data, if
18 any, is limited to "directory information" as that term is
19 defined in the federal regulations implementing the federal
20 Family Educational Rights and Privacy Act (FERPA), 20 U.S.C.
21 1232g;

22 (7) Notify the governor, the president pro tempore of the
23 senate, the speaker of the house of representatives, and the
24 joint committee on education annually of the following:

25 (a) New student data proposed for inclusion in the state
26 student data system; and

27 (b) Changes to existing data collections required for any
28 reason, including changes to federal reporting requirements made

1 by the U.S. Department of Education;

2 (8) Define quantifiable student performance data to only
3 include performance on locally developed and locally approved
4 assessments, including but not limited to formative assessments
5 developed by classroom teachers; and

6 (9) The department of elementary and secondary education
7 shall not collect, nor shall school districts report the
8 following individual student data:

9 (a) Juvenile court delinquency records;

10 (b) Criminal records;

11 (c) Student biometric information;

12 (d) Student political affiliation; or

13 (e) Student religion.

14 2. Any rule or portion of a rule, as that term is defined
15 in section 536.010 that is created under the authority delegated
16 in this section shall become effective only if it complies with
17 and is subject to all of the provisions of chapter 536, and, if
18 applicable, section 536.028. This section and chapter 536 are
19 nonseverable and if any of the powers vested with the general
20 assembly pursuant to chapter 536, to review, to delay the
21 effective date, or to disapprove and annul a rule are
22 subsequently held unconstitutional, then the grant of rulemaking
23 authority and any rule proposed or adopted after the effective
24 date of this section shall be invalid and void.

25 161.855. 1. By October 1, 2014, the state board of
26 education shall convene work groups composed of education
27 professionals to develop and recommend academic performance
28 standards. The work groups shall be composed of individuals as

1 provided in section 160.514. The state board of education and
2 the work groups shall follow the procedures and conduct the
3 public hearings required by section 160.514. The state board of
4 education shall convene separate work groups for the following
5 subject areas: English language arts; mathematics; science; and
6 history and governments. For each of these four subject areas,
7 the state board of education shall convene two separate work
8 groups, one work group for grades kindergarten through five and
9 another work group for grades six through twelve.

10 2. The work groups shall develop and recommend academic
11 performance standards to the state board of education by October
12 1, 2015. The work groups shall report on their progress in
13 developing the academic performance standards to the president
14 pro tempore of the senate and the speaker of the house of
15 representatives on a monthly basis.

16 3. The state board of education shall adopt and implement
17 academic performance standards beginning in the 2016-2017 school
18 year. The state board of education shall align the statewide
19 assessment system to the academic performance standards as
20 needed.

21 4. The department of elementary and secondary education
22 shall pilot assessments from the Smarter Balanced Assessment
23 Consortium during the 2014-2015 school year for every school
24 district and charter school in the state. For the 2014-2015
25 school year, the results of the statewide pilot assessments shall
26 not be used for high stakes accountability or teacher
27 evaluations, or to lower any public school district's
28 accreditation.

1 5. Any person performing work for a school district or
2 charter school for which teacher certification or administrator
3 certification is regularly required under the laws relating to
4 the certification of teachers or administrators shall be an
5 employee of the school district or charter school. All
6 evaluations of any such person shall be maintained in the
7 teacher's or administrator's personnel file and shall not be
8 shared with any state or federal agency.

9 Section B. Because of the need to convene work groups in a
10 timely manner to begin the process of developing academic
11 performance standards, section A of this act is deemed necessary
12 for the immediate preservation of the public health, welfare,
13 peace and safety, and is hereby declared to be an emergency act
14 within the meaning of the constitution, and section A of this act
15 shall be in full force and effect upon its passage and approval.