

FIRST REGULAR SESSION

HOUSE BILL NO. 43

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WOOD.

0194L.01I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 160.518, RSMo, and to enact in lieu thereof two new sections relating to statewide student assessment.

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

Section A. Section 160.518, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 160.517 and 160.518, to read as follows:

160.517. 1. Notwithstanding any other provision of law, after June 30, 2017, all business relating to the development and implementation of a statewide assessment shall be conducted at a university in the state of Missouri that has an education department and the capacity to administer a statewide assessment for public schools.

2. The department of elementary and secondary education and the university implementing the assessment shall develop a process to create a question database for each Missouri grade-level standard from suggestions submitted by certificated Missouri teachers. The department and the university implementing the assessment shall develop a process to solicit submissions and review the questions for appropriateness and grade level.

3. Until every school has the capacity to administer statewide assessments online, the department of elementary and secondary education shall ensure that an alternative assessment is available.

4. The number of courses requiring end-of-course assessments shall not be expanded beyond the number in existence during the 2014-15 school year for use in the determination of a district or school annual performance report or accreditation status.

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.

17 **5. Student data collected during the assessment process shall not exceed the amount**
18 **or scope of student data collected during the 2013-14 school year.**

19 **6. Prior to October 1, 2016, the department shall form a committee to study the**
20 **feasability of implementing competency-based instruction and promotion. The committee**
21 **shall issue a report of its findings to the state board of education and prepare a final report**
22 **together with its recommendations for any legislative action deemed necessary for**
23 **submission to the speaker of the house of representatives and the president pro tem of the**
24 **senate by June 1, 2016.**

160.518. 1. Consistent with the provisions contained in section 160.526, the state board
2 of education shall develop, modify, and revise, as necessary, a statewide assessment system that
3 provides maximum flexibility for local school districts to determine the degree to which students
4 in the public schools of the state are proficient in the knowledge, skills, and competencies
5 adopted by [such] **the** board [pursuant to section 160.514]. The statewide assessment system
6 shall assess problem solving, analytical ability, evaluation, creativity, and application ability in
7 the different content areas and shall be performance-based to identify what students know, as
8 well as what they are able to do, and shall enable teachers to evaluate actual academic
9 performance. The statewide assessment system shall neither promote nor prohibit rote
10 memorization and shall not include existing versions of tests approved for use pursuant to the
11 provisions of section 160.257, nor enhanced versions of such tests. After the state board of
12 education adopts and implements academic performance standards as required under section
13 161.855, the state board of education shall develop and adopt a standardized assessment
14 instrument under this section based on the academic performance standards adopted under
15 section 161.855. The statewide assessment system shall measure, where appropriate by grade
16 level, a student's knowledge of academic subjects including, but not limited to, reading skills,
17 writing skills, mathematics skills, world and American history, forms of government, geography
18 and science.

19 2. [The statewide assessment system shall only permit the academic performance of
20 students in each school in the state to be tracked against prior academic performance in the same
21 school.

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

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

31 4. For any school that meets the criteria established by the state board of education for
32 three successive school years pursuant to the provisions of subsection 3 of this section, by
33 August first following the third such school year, the commissioner of education shall present
34 a plan to the superintendent of the school district in which such school is located for the waiver
35 of rules and regulations to promote flexibility in the operations of the school and to enhance and
36 encourage efficiency in the delivery of instructional services. The provisions of other law to the
37 contrary notwithstanding, the plan presented to the superintendent shall provide a summary
38 waiver, with no conditions, for the pupil testing requirements pursuant to section 160.257, in the
39 school. Further, the provisions of other law to the contrary notwithstanding, the plan shall detail
40 a means for the waiver of requirements otherwise imposed on the school related to the authority
41 of the state board of education to classify school districts pursuant to subdivision (9) of section
42 161.092 and such other rules and regulations as determined by the commissioner of education,
43 excepting such waivers shall be confined to the school and not other schools in the district unless
44 such other schools meet the criteria established by the state board of education consistent with
45 subsection 3 of this section and the waivers shall not include the requirements contained in this
46 section and section 160.514. Any waiver provided to any school as outlined in this subsection
47 shall be void on June thirtieth of any school year in which the school fails to meet the criteria
48 established by the state board of education consistent with subsection 3 of this section.

49 5.] 3. The score on any assessment test developed pursuant to this section or this chapter
50 of any student for whom English is a second language shall not be counted until such time as
51 such student has been educated for three full school years in a school in this state, or in any other
52 state, in which English is the primary language.

53 [6.] 4. The state board of education shall identify or, if necessary, establish one or more
54 developmentally appropriate alternate assessments for students who receive special educational
55 services, as that term is defined pursuant to section 162.675. In the development of such
56 alternate assessments, the state board shall establish an advisory panel consisting of a majority
57 of active special education teachers residing in Missouri and other education professionals as
58 appropriate to research available assessment options. The advisory panel shall attempt to
59 identify preexisting developmentally appropriate alternate assessments but shall, if necessary,
60 develop alternate assessments and recommend one or more alternate assessments for adoption
61 by the state board. The state board shall consider the recommendations of the advisory council
62 in establishing such alternate assessment or assessments. Any student who receives special
63 educational services, as that term is defined pursuant to section 162.675, shall be assessed by an
64 alternate assessment established pursuant to this subsection upon a determination by the student's

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

71 [7.] 5. The state board of education shall also develop recommendations regarding
72 alternate assessments for any military dependent who relocates to Missouri after the
73 commencement of a school term, in order to accommodate such student while ensuring that he
74 or she is proficient in the knowledge, skills, and competencies adopted [under section 160.514]
75 **by the state board.**

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