

SECOND REGULAR SESSION

HOUSE BILL NO. 2841

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WEST.

5893H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 160.518, RSMo, and to enact in lieu thereof one new section relating to the Missouri assessment program test.

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

Section A. Section 160.518, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 160.518, to read as follows:

160.518. 1. (1) Consistent with the provisions contained in section 160.526, the state board of education shall develop, modify, and revise, as necessary, a statewide assessment system that provides maximum flexibility for local school districts to determine the degree to which students in the public schools of the state are proficient in the knowledge, skills, and competencies adopted by such board pursuant to section 160.514.

(2) (a) The statewide assessment system shall assess problem solving, analytical ability, evaluation, creativity, and application ability in the different content areas and shall be performance-based to identify what students know, as well as what they are able to do, and shall enable teachers to evaluate actual academic performance.

(b) The statewide assessment system shall neither promote nor prohibit rote memorization and shall not include existing versions of tests approved for use pursuant to the provisions of section 160.257, nor enhanced versions of such tests.

(3) After the state board of education adopts and implements academic performance standards as required under section 161.855, the state board of education shall develop and adopt a standardized assessment instrument under this section based on the academic performance standards adopted under section 161.855.

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 (4) The statewide assessment system shall measure, where appropriate by grade level,
18 a student's knowledge of academic subjects including, but not limited to, reading skills,
19 writing skills, mathematics skills, world and American history, forms of government,
20 geography and science.

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

24 3. (1) The state board of education shall suggest, but not mandate, criteria for a
25 school to demonstrate that its students learn the knowledge, skills and competencies at
26 exemplary levels worthy of imitation by students in other schools in the state and nation.

27 (2) Exemplary levels shall be measured by the statewide assessment system
28 developed pursuant to subsection 1 of this section, or until said statewide assessment system
29 is available, by indicators approved for such use by the state board of education.

30 (3) The provisions of other law to the contrary notwithstanding, the commissioner of
31 education may, upon request of the school district, present a plan for the waiver of rules and
32 regulations to any such school, to be known as "Outstanding Schools Waivers", consistent
33 with the provisions of subsection 4 of this section.

34 4. (1) For any school that meets the criteria established by the state board of
35 education for three successive school years pursuant to the provisions of subsection 3 of this
36 section, by August first following the third such school year, the commissioner of education
37 shall present a plan to the superintendent of the school district in which such school is located
38 for the waiver of rules and regulations to promote flexibility in the operations of the school
39 and to enhance and encourage efficiency in the delivery of instructional services.

40 (2) The provisions of other law to the contrary notwithstanding, the plan presented to
41 the superintendent shall provide a summary waiver, with no conditions, for the pupil testing
42 requirements pursuant to section 160.257, in the school.

43 (3) Further, the provisions of other law to the contrary notwithstanding, the plan shall
44 detail a means for the waiver of requirements otherwise imposed on the school related to the
45 authority of the state board of education to classify school districts pursuant to subdivision (9)
46 of section 161.092 and such other rules and regulations as determined by the commissioner of
47 education, excepting such waivers shall be confined to the school and not other schools in the
48 district unless such other schools meet the criteria established by the state board of education
49 consistent with subsection 3 of this section and the waivers shall not include the requirements
50 contained in this section and section 160.514.

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

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

58 6. (1) (a) The state board of education shall identify or, if necessary, establish one or
59 more developmentally appropriate alternate assessments for students who receive special
60 educational services, as that term is defined pursuant to section 162.675.

61 (b) In the development of such alternate assessments, the state board shall establish
62 an advisory panel consisting of a majority of active special education teachers residing in
63 Missouri and other education professionals as appropriate to research available assessment
64 options.

65 (c) The advisory panel shall attempt to identify preexisting developmentally
66 appropriate alternate assessments but shall, if necessary, develop alternate assessments and
67 recommend one or more alternate assessments for adoption by the state board.

68 (d) The state board shall consider the recommendations of the advisory council in
69 establishing such alternate assessment or assessments.

70 (2) Any student who receives special educational services, as that term is defined
71 pursuant to section 162.675, shall be assessed by an alternate assessment established pursuant
72 to this subsection upon a determination by the student's individualized education program
73 team that such alternate assessment is more appropriate to assess the student's knowledge,
74 skills and competencies than the assessment developed pursuant to subsection 1 of this
75 section.

76 (3) The alternate assessment shall evaluate the student's independent living skills,
77 which include how effectively the student addresses common life demands and how well the
78 student meets standards for personal independence expected for someone in the student's age
79 group, sociocultural background, and community setting.

80 7. The state board of education shall also develop recommendations regarding
81 alternate assessments for any military dependent who relocates to Missouri after the
82 commencement of a school term, in order to accommodate such student while ensuring that
83 he or she is proficient in the knowledge, skills, and competencies adopted under section
84 160.514.

85 8. (1) As used in this subsection, the following terms mean:

86 (a) "Department", the department of elementary and secondary education;

87 (b) "Grade-level equivalence", a metric developed for grades three to eight and used
88 by the department to show a student's proximity to doing grade-level work;

89 (c) "Parent", a parent, guardian, custodian, or other person with authority to act on
90 behalf of a student.

- 91 (2) Grade-level equivalence, as developed and used under this subsection, shall
92 consist of a student's knowledge of academic subjects by grade level and performance-level
93 descriptors indicating whether such student is ready for the next grade or level of education.
94 Such performance-level descriptors shall consist of the following:
- 95 (a) Advanced, which shall indicate that such student:
 - 96 a. Demonstrates superior performance on challenging grade-level subject matter;
 - 97 b. Is above such student's current grade or level of education; and
 - 98 c. Is ready for, at a minimum, the next grade or level of education;
 - 99 (b) Proficient, which shall indicate that such student:
 - 100 a. Demonstrates mastery over all appropriate grade-level standards and has
101 introductory-level knowledge for the next grade or level of education;
 - 102 b. May be above such student's current grade or level of education in some areas; and
 - 103 c. Is ready for the next grade or level of education;
 - 104 (c) Grade level, which shall indicate that such student:
 - 105 a. Demonstrates mastery over appropriate grade-level subject matter;
 - 106 b. Is at such student's current grade or level of education; and
 - 107 c. May be ready, with appropriate reinforcement, for the next grade or level of
108 education;
 - 109 (d) Basic, which shall indicate that such student:
 - 110 a. Demonstrates partial mastery of the essential knowledge and skills appropriate to
111 such student's grade or level of education;
 - 112 b. May not be at such student's current grade or level of education; and
 - 113 c. May not be ready, without appropriate remediation, for the next grade or level of
114 education; and
 - 115 (e) Below basic, which shall indicate that such student:
 - 116 a. Has failed to perform, at a minimum, at the limited knowledge level necessary for
117 such student's grade or level of education;
 - 118 b. Is not at such student's current grade or level of education; and
 - 119 c. Has been determined to be at the specific lower grade or level of education
120 measured by and listed in such student's statewide assessment score.
- 121 (3) (a) Such grade-level equivalence shall be determined at the same time each
122 student's academic performance is measured by the statewide assessment system developed
123 under this section.
- 124 (b) Such grade-level equivalence shall be provided at the same time such student's
125 statewide assessment score is reported to such student or such student's parent.

126 (4) (a) Data related to grade-level equivalence shall be searchable on a building-by-
127 building, school-by-school, district-by-district, and statewide basis on the department's school
128 accountability report card developed under section 160.522.

129 (b) Data related to grade-level equivalence shall display the percentage of students
130 whose performance-level descriptor is grade level or above on a building-by-building, school-
131 by-school, district-by-district, and statewide basis.

132 (c) No data related to grade-level equivalence shall be disclosed in any form that
133 allows the personal identification of any student to any individual or entity except such
134 student or such student's parent.

135 (5) The provisions of subsection 2 of section 160.514 shall not apply to the
136 development of the grade-level equivalence metric.

137 (6) The department may choose a third-party nonprofit entity to develop the grade-
138 level equivalence metric.

139 **9. For the 2026-27 school year and all subsequent school years, the state board of**
140 **education shall place twenty additional questions on the Missouri assessment program**
141 **test relating to slavery, the Reconstruction era, and Jim Crow laws. Such questions shall**
142 **be graded separately to determine a student's knowledge on such subjects and to**
143 **measure how well each school district is teaching facts related to such subjects.**

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