

SECOND REGULAR SESSION
[PERFECTED]
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1817
91ST GENERAL ASSEMBLY

Reported from the Committee on Education - Elementary and Secondary, February 21, 2002, with recommendation that the House Committee Substitute for House Bill No. 1817 Do Pass.

Taken up for Perfection March 11, 2002. House Committee Substitute for House Bill No. 1817 ordered Perfected and printed, as amended.

TED WEDEL, Chief Clerk

4190L.05P

AN ACT

To amend chapter 160, RSMo, by adding thereto one new section relating to accountability for priority and performance schools.

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

Section A. Chapter 160, RSMo, is amended by adding thereto one new section, to be known as section 160.720, to read as follows:

160.720. 1. The department of elementary and secondary education shall identify for recognition by the governor schools demonstrating high student achievement to be designated as performance schools. In addition, the department of elementary and secondary education shall identify those waivers of administrative rule authorized under state law appropriate for the recognized school district or school. The department of elementary and secondary education shall endeavor to identify waivers of administrative rule that result in a meaningful reduction in administrative burden on the districts recognized in this section.

2. The department of elementary and secondary education shall identify priority school districts and priority schools based upon the following criteria:

(1) School attendance centers declared academically deficient by the state board of education pursuant to section 160.538;

(2) School districts declared unaccredited or provisionally accredited by the state board of education pursuant to section 161.092, RSMo; or

(3) School districts or school attendance centers that meet none of the accreditation

16 standards on student performance established by the state board of education based upon
17 the statewide assessment system authorized pursuant to section 160.518.

18 **3. The board of education of any priority school district or priority school shall**
19 **submit, as a part of a comprehensive school improvement plan, an accountability**
20 **compliance statement that shall:**

21 **(1) Identify and analyze areas of deficiency in student performance by school,**
22 **grade, and academic content area;**

23 **(2) Provide a comprehensive strategy for addressing these areas of deficiency;**

24 **(3) Assure disclosure of these areas of deficiency in the school accountability report**
25 **card required pursuant to section 160.522;**

26 **(4) Permit a metropolitan district that is implementing a program of academic**
27 **improvement in a school or schools identified pursuant to a settlement agreement for a**
28 **desegregation lawsuit to submit the elements of the plan for academic improvement which**
29 **correspond to the elements of the accountability compliance statement required in**
30 **subdivisions (1) to (3) of this subsection for review for possible waiver solely in regard to**
31 **the schools identified for academic improvement pursuant to the settlement agreement;**
32 **provided, however, that the department of elementary and secondary education shall meet**
33 **with any district covered by the provisions of this subdivision prior to the district**
34 **submitting any element of an accountability compliance statement, so that the department**
35 **may identify elements of the settlement agreement academic improvement plan that are**
36 **substantially similar to the requirements contained in this section, and the department**
37 **shall advise such district if, based on its review, any further plan or reporting of such plans**
38 **or elements is required; and**

39 **(5) Require the school administration to enforce the discipline codes that have been**
40 **established in the school.**

41 **4. The comprehensive strategy for addressing areas of deficiency required pursuant**
42 **to this section shall address the following areas:**

43 **(1) Align curriculum to address areas of deficiency in student achievement;**

44 **(2) Develop, for any student who is not receiving special education services under**
45 **an individualized education plan pursuant to sections 162.670 to 162.699, RSMo, who is**
46 **performing at a level not determined or at the lowest level of proficiency in any subject**
47 **area under the statewide assessment established pursuant to section 160.518, an academic**
48 **agreement in that subject area which shall:**

49 **(a) Be developed by the teacher or teachers in consultation with the child's parent,**
50 **guardian, or other adult responsible for the student's education;**

51 **(b) Outline responsibilities for the student, parent, guardian, or other adult**

52 responsible for the student's education, teachers, and administrators in completing the
53 agreement. Such agreements shall not require the level of documentation and procedural
54 complexities of an individualized education plan pursuant to sections 162.670 to 162.699,
55 RSMo, but shall contain sufficient detail for all parties to understand their responsibilities
56 in the implementation of the student's academic agreement. Academic agreements
57 pursuant to this subdivision do not require direct submission to the department of
58 elementary and secondary education;

59 (c) State that the student's parent, guardian, or other adult responsible for the
60 student's education shall act in good faith to implement the academic agreement and make
61 reasonable efforts to meet with the teacher when requested or required by the agreement;

62 (d) Require those students performing at a level not determined or at the lowest
63 level of proficiency in any subject area under the statewide assessment established
64 pursuant to section 160.518 to be provided with additional instruction time and for
65 students in grades 9 to 11 to retake the assessment;

66 (e) Ensure that the academic agreement follows the student when the student
67 changes teachers or schools within the district; and

68 (f) Permit, at the teacher's discretion, review of the academic agreement at any
69 point when the teacher believes that goals have been met or are in need of reinforcement;

70 (3) Focus state and local professional development funds on the areas of greatest
71 academic need, including a statement relating to accessing the resources and services of the
72 regional professional development center and support from state professional development
73 funds;

74 (4) Create programs to improve teacher and administrator effectiveness;

75 (5) Establish school accountability councils consistent with the procedures stated
76 in subsection 5 of section 160.538, or align existing parent advisory council with the
77 requirements of subsection 5 of section 160.538;

78 (6) Develop a resource reallocation plan for the district; and

79 (7) Consider the need to implement strategies pursuant to this subsection for feeder
80 schools of any priority school.

81 5. The school district shall include in any program for improvement of teacher and
82 administrator effectiveness in an accountability compliance statement policies that will:

83 (1) Require school administrators and teachers, including teachers who are
84 provisionally or temporarily certified, to participate in one of the following programs of
85 professional development:

86 (a) A mentoring program meeting standards established by the state board of
87 education or supervised by an individual previously designated by the department of

88 elementary and secondary education as a regional resource teacher;

89 (b) Successful completion of a training program for certification as a scorer under
90 the statewide assessment program authorized pursuant to section 160.518; or

91 (c) Enrollment and making adequate progress towards national board certification;

92 (2) Provide one additional year of intensive professional development assistance to
93 teachers and administrators who do not complete or make adequate progress in the
94 professional development activities described in subdivision (1) of this subsection;

95 (3) Exempt from the professional development requirements accountability
96 compliance statement as provided in subdivision (1) of this subsection, any individual who:

97 (a) Holds qualifying scores in the appropriate professional assessment as
98 determined by the state board of education or who elects to take and receive a qualifying
99 score of that assessment;

100 (b) Holds national board certification;

101 (c) Is certified as a scorer under the statewide assessment program;

102 (d) Is designated by the department of elementary and secondary education as a
103 regional resource teacher;

104 (e) Serves as a mentor teacher for one school year in a program meeting standards
105 adopted by the state board of education; or

106 (f) Successfully completes an appropriate administrator academy program offered
107 pursuant to section 168.407, RSMo.

108 6. Any resource reallocation plan shall include at least one of the following
109 elements:

110 (1) Reduce class size in areas of academic concern;

111 (2) Establish full-day kindergarten and preschool programs;

112 (3) Establish after-school, tutoring, and other programs offering extended time for
113 learning;

114 (4) Employ regional resource teachers designated by the department of elementary
115 and secondary education or national board-certified teachers, along with appropriate
116 salary enhancements for such teachers;

117 (5) Establish programs of teacher home-visitation to encourage parental support
118 of student learning; and

119 (6) Create "school within a school" programs to achieve smaller learning
120 communities within priority schools.

121 7. The state board of education shall establish by administrative rule standards to
122 evaluate accountability compliance statements, based upon the following criteria:

123 (1) An accountability compliance statement shall be submitted to the department

124 of elementary and secondary education on or before August fifteenth following any school
125 year in which a school district meets the criteria established under subsection 2 of this
126 section;

127 (2) The department of elementary and secondary education shall review and
128 identify areas of deficiency in the plan within thirty days of receipt; and

129 (3) Changes to the plan shall be forwarded to the department of elementary and
130 secondary education within thirty days of notice to the district of the areas of deficiency.

131 8. The department of elementary and secondary education shall withhold funds to
132 be paid to the school district, as authorized in section 163.031, RSMo, until such time as the
133 district submits an accountability compliance statement meeting the standards authorized
134 pursuant to this section within the timelines established herein.

135 9. The department of elementary and secondary education shall develop within
136 three years of the adoption of this section a program of administrator mentoring focusing
137 on the needs of priority schools and priority school districts and meeting standards
138 established by the state board of education.

139 10. No rule or portion of a rule promulgated pursuant to the authority of this
140 section shall become effective unless it has been promulgated pursuant to chapter 536,
141 RSMo.

142 11. In any school year in which the school funding formula has a proration factor
143 on line 1(b) of less than 1.0, the provisions of subsections 2 to 9 of this section relating to
144 priority schools and priority school districts shall not be enforced. For any school year in
145 which full funding of the school aid formula appears to be in doubt after all appropriations
146 bills are truly agreed and finally passed, the house budget chair and the senate
147 appropriations chair shall send a joint letter to the commissioner of education by August
148 fifteenth, notifying the department of elementary and secondary education of the likelihood
149 of less than full funding and requesting that the department not enforce subsections 2 to
150 9 of this section unless and until the department's calculations for the first "live" school aid
151 payment of the school year show that the formula will have a proration factor on line 1(b)
152 of no less than 1.0.