

FIRST REGULAR SESSION

HOUSE BILL NO. 511

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES NASHEED (Sponsor), DIECKHAUS, McNARY, GATSCHENBERGER, FUHR, WIELAND, HINSON, ROWLAND, BERRY, CARTER, CURLS, SPRENG, MAY, TAYLOR, PIERSON, BURLISON, HAEFNER, LASATER, McCANN BEATTY, McGEOGHEGAN, HUBBARD, PACE, WALTON GRAY, TILLEY, PARKINSON, FISHER, McCAHERTY, DAVIS, BRATTIN, WHITE, HIGDON, KOENIG, LEARA, DENISON AND JONES (89) (Co-sponsors).

1428L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 167, RSMo, by adding thereto one new section relating to personalized learning plans.

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

Section A. Chapter 167, RSMo, is amended by adding thereto one new section, to be known as section 167.730, to read as follows:

167.730. 1. This section shall be known as the "Every Child Can Learn" act.

2. Beginning July 1, 2012, every public school in the metropolitan district, including charter schools, shall incorporate a response-to-intervention tiered approach to reading instruction to focus resources on students who are determined by the school to need additional or changed instruction to make progress as readers. At a minimum, the reading levels of students in kindergarten through tenth grade shall be assessed at the beginning and middle of the academic year, and students who score below district benchmarks shall be provided with intensive, systematic reading instruction.

3. Beginning January 1, 2012, and every January first thereafter, every public school in the metropolitan district, including charter schools, shall prepare a personalized learning plan for any kindergarten or first grade student whose most recent school-wide reading assessment result shows the student is working at less than grade level unless the student has been determined by other means in the current school year to be working at

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.

14 grade level or above. The provisions of this section shall not apply to students otherwise
15 served under an individualized education plan under sections 162.670 to 162.999, to
16 students receiving services under Section 504 of the Rehabilitation Act of 1973 whose
17 services plan includes an element addressing reading below grade level, or to students
18 determined to have limited English proficiency.

19 4. The student's main teacher shall consult with the parent or guardian of any
20 student required by this section to have a personalized learning plan during the
21 preparation of the plan and shall consult, as appropriate, any district or department of
22 elementary and secondary personnel with necessary expertise to develop such a plan. The
23 school shall require the written consent of the parent or guardian to implement the plan;
24 however, if the school is unsuccessful in contacting the parent or guardian by January
25 fifteenth, the school may send a certified letter to the student's last known address stating
26 its intention to implement the plan by February first.

27 5. After implementing the personalized learning plan through the end of the first
28 grade year, the school shall refer any student who still performs at less than grade level for
29 assessment to determine if an individualized education program is necessary for the
30 student. A student who is assessed as not needing an individualized education program but
31 who is reading at less than grade level at the end of the first grade shall continue to be
32 required to have a personalized learning plan until the student is reading at grade level.

33 6. A student who is not reading at second-grade level by the end of second grade
34 may be promoted to the third grade only under one of the following criteria:

35 (1) The school provides additional reading instruction during the summer and
36 demonstrates the student is ready for third grade at the end of the summer school;

37 (2) The school provides a combined classroom in which the student continues with
38 the same teacher, sometimes referred to as "looping". If the student in such a classroom
39 is not reading at third-grade level by the end of third grade, the student shall be retained
40 in third grade; or

41 (3) The student's parents have signed a notice that they prefer to have their student
42 promoted although the student is reading below grade level. The school district shall have
43 the final determination on the issue of retention.

44 7. The district shall provide in its annual report card under section 160.522 the
45 numbers and percentages by grade from first grade to tenth grade in each school of any
46 students at any grade level who have been promoted who have been determined as reading
47 below grade level, except that no reporting shall permit the identification of an individual
48 student.