

CCS#2 SS SCS HB 1490 -- ELEMENTARY AND SECONDARY EDUCATION
STANDARDS

This bill requires the State Board of Education to convene separate work groups on English language arts, mathematics, science, and history and governments whenever it develops, evaluates, modifies, or revises academic performance or learning standards. Work groups for kindergarten through fifth grade will consist of 16 members and 17 members for work groups for sixth through twelfth grade. The President Pro Tem of the Senate and the Speaker of the House of Representatives must each select two parents of children currently enrolled in the grades and two education professionals to serve as members. The state board must select one education professional to each work group from names submitted to it by the professional teachers' organizations of the state, a statewide coalition of school administrators, nationally-recognized career and technical education student organizations operating in Missouri, and the heads of state-approved baccalaureate-level teacher preparation programs located in Missouri. One education professional must be selected by a statewide association of Missouri school boards. The Governor, the Lieutenant Governor, and the Commissioner of Higher Education must each select one education professional. The seventeenth member, who must be a current or retired career and technical education professional who serves or has served as an advisor to career and technical education student organizations, is to be appointed by the state board from names submitted to it by a statewide organization for career and technical education. The members must be geographically diverse and cannot be required to be a member of a professional teacher organization to serve on a work group. Each work group member must have been a Missouri resident for at least three years and have taught in the work group's subject area for 10 years or have 10 years of experience in that subject area, with the exception of the parent members. A qualified person may serve on more than one work group.

The state board must hold at least three public hearings whenever it develops, evaluates, modifies, or revises either academic performance or learning standards. The hearings must provide an opportunity to receive public testimony from specified groups and the general public. The hearings must be held within 30 days of the work groups being convened, six months after the first hearing, and when the work groups submit the developed academic performance standards to the state board. The state board must also solicit feedback and comments from the Joint Committee on Education and academic researchers. All comments must be made publicly available.

Local school districts and charter schools may adopt their own education standards, in addition to those already adopted by the

state, provided any additional standards are in the public domain and do not conflict with standards adopted by the state board.

The state board and the Department of Elementary and Secondary Education are prohibited from mandating the curriculum, textbooks, or other instructional materials to be used in the public schools. Each local school board must be responsible for the approval and adoption of its curriculum. Schools or programs administered by the state board, the department, and any district classified as unaccredited are exempt from this provision. The state board and the department are prohibited from requiring local districts to use any appendix to the Common Core State Standards.

The state board must modify and revise, as necessary, the statewide assessment system based on the standards adopted by the board. After the state board adopts and implements academic performance standards, the state board must develop and adopt a standardized assessment instrument based on the academic performance standards adopted under Section 161.855, RSMo. The special education teachers serving on the advisory panel to develop developmentally appropriate alternate assessments must be residents of Missouri. Two provisions regarding adjustments to the statewide assessment system that expired in 2006 are repealed.

When the state board establishes, evaluates, modifies, or revises academic performance standards, learning standards, and the statewide assessment system, it must consider the work product of the Department of Higher Education's Curriculum Alignment Initiative or any other work in the public domain, in addition to other specified sources. The provision requiring the state board to adopt the work that has been done by consortia of other states and allowing it to contract with the consortia to implement the academic standards and statewide assessment system is repealed. The Commissioner of Education must notify the General Assembly within six months of modifying or revising the statewide assessment system. The General Assembly may veto any modification or revision by concurrent resolution, as specified in the bill. By December 31, 2014, the Commissioner of Education must revise the procedure to regularly receive advice and counsel from specified individuals regarding the implementation of academic performance standards and the statewide assessment system to allow the state board to regularly receive advice and counsel from specified groups whenever it develops, evaluates, modifies, or revises academic performance standards, learning standards, or the statewide assessment system. Obsolete references to the Commission on Performance are repealed.

The provision allowing the departments of Economic Development, Elementary and Secondary Education, and Higher Education to directly enter into agreements with the P-20 Council is repealed.

Instead, the departments must be bound by the statutory requirements for state purchasing and contracting under Chapter 34.

State board rules regarding accreditation must include a process to allow a fully accredited district to propose alternative criteria to the state board to become classified as accredited with distinction.

The state board must promulgate a rule relating to student data accessibility, transparency, and accountability in the statewide longitudinal data system that requires the department to create and make publicly available a data inventory and index of data elements with definitions of individual student data fields in the student data system and to develop policies to comply with all relevant state and federal laws, including the federal Family Educational Rights and Privacy Act (FERPA). The policies must address access to personally identifiable student data in the statewide longitudinal data system. The department must develop criteria for the approval of research and data requests from state and local agencies, researchers working on behalf of the department, and the public. The department must not, unless otherwise authorized, transfer personally identifiable student data. The department must develop a detailed data security plan; ensure compliance with FERPA as well as other laws and policies; and ensure that any contracts that govern databases, assessments, or instructional supports that include student or redacted data and are outsourced to private vendors include provisions that safeguard privacy and security and prohibit the sale of data or its use in furtherance of advertising and include penalties for noncompliance. Local service providers whose access to data is limited to directory information are exempted from the prohibition. The department must annually report to the Governor, the President Pro Tem of the Senate, the Speaker of the House of Representatives, and the Joint Committee on Education of any new student data proposed for inclusion in the state student data system and any changes to existing data collections required for any reason. Quantifiable student performance data must only include performance on locally developed or approved assessments including, but not limited to, formative assessments developed by classroom teachers. The department is prohibited from collecting and school districts are prohibited from reporting the following individual student data: juvenile court delinquency records, criminal records, biometric information, political affiliation, or religion. Civil penalties for violations of any rule regarding the use of education data are specified for first and subsequent violations. The Attorney General is authorized to enforce compliance with these provisions.

By October 1, 2014, the state board must convene work groups of education professionals to develop and recommend academic

performance standards. The state board must convene separate work groups for the following subject areas: English language arts; mathematics; science; and history and governments. For each subject area, the state board must convene two work groups, one for grades kindergarten through five and one for grades six through 12. The work groups must develop and recommend academic performance standards by October 1, 2015. The work groups must report on their progress to the President Pro Tem of the Senate and the Speaker of the House of Representatives on a monthly basis. The state board must adopt and implement academic performance standards beginning in the 2016-2017 school year and align the statewide assessment system to the new standards as needed. The department must pilot assessments from the Smarter Balanced Assessment Consortium during the 2014-2015 school year. For the 2014-2015 school year, and at any time when the state board or the department implements a new statewide assessment system, develops new academic performance standards, or makes changes to the Missouri School Improvement Program, the first year of the system and performance indicators must be a pilot year for the purposes of calculating a district's annual performance report under the program. The results of a statewide pilot must not be used for a teacher's evaluation or to lower a school district's accreditation. Any person performing work for a district or charter school who is required to be certified under the teacher or administrator certification laws must be an employee of the district or charter school. All evaluations of certified teachers and administrators must be maintained in the person's personnel file and must not be shared with any state or federal agency.