

SECOND REGULAR SESSION

[PERFECTED]

# HOUSE BILL NO. 1359

## 96TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES SMITH (150) (Sponsor), FRANZ, SOLON, BERRY,  
WELLS AND LONG (Co-sponsors).

5095L.02P

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 160.526 RSMo, and to enact in lieu thereof two new sections relating to state contracts.

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

Section A. Section 160.526, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 34.400 and 160.526, to read as follows:

**34.400. For all state contracts, any state employee in a decision making position shall not take employment with the business, company, or other entity which the employee was in a decision making position for that state contract for at least two years from the date when the contact was initiated.**

160.526. 1. In establishing the academic standards authorized by subsection 1 of section 160.514 and the statewide assessment system authorized by subsection 1 of section 160.518, the state board of education shall consider the work that has been done by other states, recognized regional and national experts, professional education discipline-based associations and other professional education associations. Further, in establishing the academic standards and statewide assessment system, the state board of education shall adopt the work that has been done by consortia of other states and, subject to appropriations, may contract with such consortia to implement the provisions of sections 160.514 and 160.518.

2. The state board of education shall, by contract enlist the assistance of such national experts, as approved by the commission established pursuant to section 160.510, to receive reports, advice and counsel on a regular basis pertaining to the validity and reliability of the

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.

12 statewide assessment system. The reports from such experts shall be received by the  
13 commission, which shall make a final determination concerning the reliability and validity of the  
14 statewide assessment system. Within six months prior to implementation of the statewide  
15 assessment system, the commissioner of education shall inform the president pro tempore of the  
16 senate and the speaker of the house about the procedures to implement the assessment system,  
17 including a report related to the reliability and validity of the assessment instruments, and the  
18 general assembly may, within the next sixty legislative days, veto such implementation by  
19 concurrent resolution adopted by majority vote of both the senate and the house of  
20 representatives.

21           3. The commissioner of education shall establish a procedure for the state board of  
22 education to regularly receive advice and counsel from professional educators at all levels in the  
23 state, district boards of education, parents, representatives from business and industry, and labor  
24 and community leaders pertaining to the implementation of sections 160.514 and 160.518. The  
25 procedure shall include, at a minimum, the appointment of ad hoc committees and shall be in  
26 addition to the advice and counsel obtained from the commission pursuant to section 160.510.

27           **4. The state board of education shall, by contract, ensure that the results of each**  
28 **year's statewide student assessments in grades three through eight are statistically analyzed**  
29 **to determine patterns showing unexpected increases or decreases localizable to a particular**  
30 **attendance center. The state board shall review the results of the analysis to make a**  
31 **preliminary determination on whether the attendance center's results are valid, which shall**  
32 **include the use of a program or application that detects physical signs of test tampering.**  
33 **The state board shall share the results with the superintendent and school board of each**  
34 **affected district and shall annually at an open meeting report the results of the analysis.**

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