

SECOND REGULAR SESSION

HOUSE BILL NO. 1986

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BARNES.

6220L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 160.526 and 160.570, RSMo, and to enact in lieu thereof two new sections relating to statewide student assessments.

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

Section A. Sections 160.526 and 160.570, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 160.526 and 160.570, to read as follows:

2 160.526. 1. In establishing the academic standards authorized by subsection 1 of section
3 160.514 and the statewide assessment system authorized by subsection 1 of section 160.518, the
4 state board of education shall consider the work that has been done by other states, recognized
5 regional and national experts, professional education discipline-based associations and other
6 professional education associations. Further, in establishing the academic standards and
7 statewide assessment system, the state board of education shall adopt the work that has been
8 done by consortia of other states and, subject to appropriations, may contract with such consortia
9 to implement the provisions of sections 160.514 and 160.518.

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

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.

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

160.570. 1. Nothing in this section or section 105.1209 shall be construed to affect or
2 limit any state agency's authority regarding professional registration, licensing or issuance of
3 professional certificates, nor shall this section be construed to limit or affect the authority of the
4 state board of education to examine applicants and issue high school equivalency certificates.

5 2. The school board of each school district shall establish a written policy on student
6 participation in statewide assessments. The policy shall be provided to each student and the
7 parent, guardian or other person responsible for every student under eighteen years of age at the
8 beginning of each school year and a copy of the policy shall be maintained in the district office
9 and shall be available for viewing by the public during business hours of the district office. A
10 school board may establish a policy designed to encourage students to give their best efforts on
11 each portion of any statewide assessment established pursuant to section 160.518 which may
12 include but is not limited to incentives or supplementary work as a consequence of performance.

13 **3. By January 1, 2012, the school board of each school district shall establish a**
14 **written policy on employment actions taken in response to allegations of employee**
15 **tampering with statewide assessment results and in response to any proven instance of such**
16 **tampering, which may include dismissal.**

17 **4.** In no case shall the state board of education or any other state agency establish any
18 single test or group of tests as a condition or requirement for high school graduation or as a
19 requirement for a state-approved diploma.

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