

HCS SCS SB 172 -- ELEMENTARY AND SECONDARY EDUCATION

SPONSOR: Romine (Swan)

COMMITTEE ACTIONS: Voted "Do Pass with Amendments" by the Standing Committee on Elementary and Secondary Education by a vote of 9 to 0. Voted "Do Pass with HCS" by the Select Committee on Education by a vote of 9 to 0.

This bill changes the laws regarding elementary and secondary education.

WORK GROUPS ON ACADEMIC PERFORMANCE STANDARDS (Sections 160.514 and 161.855, RSMo)

The bill specifies that each work group convened by the State Board of Education to review academic performance standards under the Outstanding Schools Act must elect a chairperson and a secretary. The secretary must record specified information and minutes and provide the information to work group members before meetings for a vote of approval. Once elected for positions the persons elected must submit their names, phone numbers, email addresses, and mailing addresses to the Governor, Lieutenant Governor, President Pro Tem of the Senate, and Speaker of the House of Representatives. The chairperson and secretary must respond to any inquiry from the Governor, Lieutenant Governor, President Pro Tem, and Speaker within five business days of any inquiry.

Any person selected under these provisions must serve on the work group at the pleasure of the appointing authority who has selected him or her. He or she may be removed at any time and for any reason as the appointing authority who selected him or her deems necessary.

If a work group member's qualifications are challenged by a member of the work group or an appointing agency, a panel consisting of the chairpersons of the other seven work groups must review the member's qualifications and the member must, within 30 days, provide proof to the panel that he or she is qualified to serve. If the panel determines that the member does not meet the qualifications, he or she must be considered removed from the work group and the original appointing entity must appoint a qualified person to fill the position within 30 days of the disqualified member's dismissal.

The chairperson of each work group must submit a monthly progress report to the Governor, Lieutenant Governor, President Pro Tem of the Senate, and Speaker of the House of Representatives by the fifth day of each month. Each chairperson must update the offices

of the Governor, Lieutenant Governor, President Pro Tem, and Speaker as to any changes in member contact information. If a quorum is not reached for a meeting, the work group members present are authorized work as a subcommittee. A quorum must be present for any vote to occur. If a specific member misses more than four meetings within a six-month period, the work group may, by a majority vote, recommend to the panel that the member be removed from the work group, and if a member is so dismissed by majority vote, he or she must be replaced within 30 days of dismissal with a new member appointed by the original appointing entity.

Work group members must be reimbursed by the department for travel expenses, including overnight accommodations, meals, and mileage reimbursement using the state per-diem formula, and the department must reimburse school districts for the cost of a substitute teacher if a work group member is required to miss a school day to attend a work group meeting. A district policy or administrative action cannot prohibit a teacher member from participating in a work group meeting nor can any teacher member be required to use personal leave or have a reduction in pay for participating in a work group meeting.

Work groups are authorized to establish as many grade-level expectations as believed necessary for each grade level. Work groups are required to meet with and collaborate with other work groups of the same subject area in order to ensure alignment of grade-level expectations. Before making any recommendations as to grade-level expectations or academic performance standards, the work groups are required to ensure that any standards developed or recommendations made are:

- (1) In compliance with the Show-Me Standards approved by the state board;
- (2) Age appropriate and developmentally appropriate; and
- (3) Understandable to teachers in that subject area.

Currently, the State Board of Education is required to adopt and implement academic performance standards beginning in the 2016-17 school year. The bill specifies that the state board may adopt as written, the academic performance standards developed and recommended by the work groups beginning in the 2016-17 school year, with implementation by the department. If the state board declines to adopt the standards, the board must provide suggestions for improvement to the work groups. The state board must align the statewide assessment system to the academic performance standards as needed.

At any time 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 two years, instead of only the first year, of the statewide assessment system and performance indicators must be utilized as pilot years for the purposes of calculating a district's annual performance report under the program.

QUALITY SCHOOL INDICATORS (Section 161.089)

After December 31, 2018, when the State Board of Education within the Department of Elementary and Secondary Education assigns classification designations to school districts under its authority to classify the public schools, the bill permits the state board to base its determination on the implementation of the school district's plan to address multiple, specified school quality indicators.

Before July 1, 2018, each school district must establish its own operation and assessment plan to address the school quality indicators described in these provisions for each school and for the district. Teachers, administrators, business leaders, parents, and community stakeholders must develop a plan, describing how the school district and each school will strive to acquire all school quality indicators, including curriculum, instructional approaches, assessments, and improvement measures, all of which must be approved by the school board.

Each school district must prepare annual reports that contain the plan established under these provisions and the indexes established for the most recent school year. Each school must prepare annual reports that contain the indexes established under these provisions for the most recent school year. Each school district must determine the format of these annual reports for itself. The state board may review the annual reports and provide feedback to the districts with the goal of making the reports more useful. Immediately after preparing the annual reports, all school districts must disseminate the annual reports to the department, the parents of the students that they serve, and the communities in which they are located.

The department must use the data submitted in the reports to prepare annual reports on the state of public education in Missouri. After November 30, 2018, the department must send the annual reports to the Joint Committee on Education.

The bill establishes a School Quality Task Force with members to be chosen to represent the geographic diversity of the state; requires the Commissioner of Education, the Commissioner of Higher

Education, and the Director of the Department of Economic Development to be ex officio members; specifies other members to be appointed to the task force; and provides procedural requirements. The task force is created to study specified options and practices must present its findings to the Joint Committee on Education and the State Board of Education by December 31, 2016. The task force must dissolve upon presentation of its findings and recommendations.

PERSONAL PLANS OF STUDY (Section 167.903)

The bill allows each student during his or her seventh grade year at a public school or charter school to develop a personal plan of study with help from the school's guidance counselors that must be reviewed at least annually by school personnel and the student's parent or guardian and updated based on the needs of the student and requires, no later than January 1, 2016, the department to develop a process for recognition of a school district's program for developing personalized plans of study for all students entering seventh grade.

REMEDIAL EDUCATION (Section 167.905)

The bill requires each school district to develop a policy and implement a system by July 1, 2017, for identifying students in their ninth grade year and students who transfer into the school after ninth grade who are at risk of not being ready for college-level work or for entry-level career positions. Each district's system is subject to approval by the department. Indicators include, but are not limited to, a student's performance on the English Language Arts and Math Missouri Assessment Program test in the eighth grade, a student's comparable statewide assessment performance if the student transferred from another state, and the student's attendance rate. The district policy must require academic and career counseling to take place sufficiently prior to graduation for any at-risk student to ensure the ability of the school to provide sufficient opportunities to the student to graduate college- or career-ready and on time. By January 1, 2016, the department must develop a process for recognition of a school district's program of academic and career counseling for students who have been identified as being at risk of dropping out or at risk of not being ready for college-level coursework or for an entry-level career position.

TEACHER AND SCHOOL EMPLOYEE RETIREMENT ALLOWANCES (Section 169.070)

The bill repeals the July 1, 2014 termination date of a provision allowing members of the Public School Retirement System of Missouri who have 31 or more years of creditable service, regardless of age,

to have their retirement allowance calculated using a multiplier of 2.55% of his or her final average salary for each year of membership service.

PUBLIC SCHOOL RETIREMENT SYSTEMS (Sections 169.141 and 169.715)

The bill allows any individual receiving a retirement allowance from the Public School Retirement System of Missouri or the Public Education Employee Retirement System who has elected a reduced retirement allowance with his or her spouse as the beneficiary to have the retirement allowance increased to the amount the retired member would be receiving had the retired member elected a non-reduced allowance if the marriage of the retired person and the nominated spouse is dissolved on or after September 1, 2015, and if the dissolution decree provides for sole retention by the retired person of all rights in the retirement allowance.

Any increase in the retirement allowance must be effective upon the receipt of an application for the increase and a certified copy of the decree of dissolution that meets the requirements of these provisions.

The bill requires a nomination of a successor beneficiary to be filed within one year, instead of the current 90 days, of the remarriage.

KANSAS CITY PUBLIC SCHOOL RETIREMENT SYSTEM (Section 169.324)

Currently, a retired teacher receiving an allowance from the Kansas City Public School Retirement System may work for a school district on a part-time or temporary-substitute basis for up to 600 hours in any one school year and earn up to 50% of the annual compensation the person was last paid by the employer before the person retired without a discontinuance of the person's retirement allowance.

The bill specifies that those provisions must apply to a person who is retired and currently receiving a retirement allowance under Sections 169.270 to 169.400, other than for disability, who is employed by a third party or working as an independent contractor performing work in a district included in the retirement system as a temporary or long-term substitute teacher or in any other position that would normally require that person to be duly certificated under the laws governing the certification of teachers in Missouri if the person was employed by the district. The retirement system may require documentation from the parties involved showing compliance with this provision. If the documentation is not provided, the retirement system may deem the retiree to have exceeded the limitations.

MISSOURI PUBLIC SCHOOL RETIREMENT SYSTEM (Section 169.560)

Currently, a retired teacher receiving an allowance from the Missouri Public School Retirement System may work for a school district on a part-time or temporary-substitute basis for up to 550 hours in any one school year and earn up to 50% of the annual compensation payable under the employing district's salary schedule for the position or positions filled by the retiree without a discontinuance of the person's retirement allowance.

The bill specifies that if a person is employed in any capacity by the district in excess of the limitation, he or she must not be eligible to receive his or her allowance for any month he or she is so employed, and he or she must contribute to the retirement system if he or she satisfies the retirement system's membership eligibility requirements.

These provisions must apply to any individual retired and currently receiving a retirement allowance under Sections 169.010 to 169.141, other than for disability, who is employed by a third party or is performing work as an independent contractor if he or she is performing work in a district included in the retirement system as a temporary or long-term substitute teacher or in any other position that would normally require that individual to be duly certificated under the laws governing the certification of teachers in Missouri if he or she was employed by the district.

The retirement system may require the district, the third-party employer, the independent contractor, and the retiree to provide documentation showing compliance with these provisions. If the documentation is not provided, the retirement system may deem the retiree to have exceeded the limitations.

CAREER AND TECHNICAL EDUCATION (Section 170.029)

The bill requires the State Board of Education, in consultation with the Career and Technical Education Advisory Council, to establish the minimum graduation requirements for a career and technical education high school certificate (CTE). Beginning with the 2016-17 school year any student entering high school must be eligible to receive a CTE certificate that he or she can earn in addition to his or her high school graduation diploma.

A CTE certificate must be based on requirements designed to provide students with the necessary technical employability skills to be prepared for an entry-level career in a technical field or additional training in a technical field. The bill specifies that the curriculum, programs of study, and course offerings must be determined by the local school district based on the needs and

interests of the district's students. The state board must work in cooperation with individual school districts to stipulate the minimum number of CTE offerings. Each local school district must make an effort to offer programs of study that are economically feasible for students in the district. In establishing CTE offerings, a district may rely on standards for industry-recognized certificates or credentials.

The department must develop, no later than January 1, 2016, a process for recognition of a school district's career and technical education program that offers a career and technical education certificate.

REMEDIAL EDUCATION POLICIES (Section 173.750)

The bill repeals the provision that prohibits the use of the reported remediation rate for any other purpose and requires:

(1) The Department of Elementary and Secondary Education to conduct a review of its policies and procedures relating to best practices in remediation as identified by the Department of Higher Education to ensure that districts are informed about and held accountable for implementing the best practices to reduce the need for remediation. The Department of Elementary and Secondary Education must present its results to the Joint Committee on Education by October 31, 2016; and

(2) The Department of Higher Education in consultation with the Department of Elementary and Secondary Education to develop, by July 1, 2018, a report that analyzes the results of the remediation rate report relative to student performance on the English Language Arts and Math Missouri Assessment Program test in the eighth grade.

CAREER AND TECHNICAL EDUCATION ADVISORY COUNCIL (178.550)

The bill increases the number of members of the Career and Technical Education Advisory Council from 11 to 15 by adding two senators, appointed by the President Pro Tem of the Senate, and two representatives, appointed by the Speaker of the House of Representatives. The four legislative members must serve on the advisory council until they resign, are no longer members of the General Assembly, or are replaced by new appointments. The bill requires the Commissioner of Education to appoint the 11 other members instead of the Governor with the advice and consent of the Senate.

The provisions of the bill regarding teacher and school employee retirement allowances contain an emergency clause.

PROPONENTS: Supporters say that the bill will encourage students to learn a trade and increase the state's educated workforce.

Testifying for the bill were Senator Romine; JG Foundation; Microsoft Corporation; Missouri Education Reform Council; Missouri State Teachers Association; Missouri National Education Association; William A. Gamble; and AFT St. Louis Local 420.

OPPONENTS: There was no opposition voiced to the committee.