

SENATE BILL NO. 660

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR ARTHUR.

4162S.01H

ADRIANE D. CROUSE, Secretary

AN ACT

To amend chapters 160, 161, and 162, RSMo, by adding thereto four new sections relating to competency-based education in elementary and secondary schools.

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

Section A. Chapters 160, 161, and 162, RSMo, are amended
2 by adding thereto four new sections, to be known as sections
3 160.560, 161.380, 161.385, and 162.1255, to read as follows:

160.560. 1. The department of elementary and
2 secondary education shall establish the "Show Me Success
3 Diploma Program".

4 2. Under the show me success diploma program, the
5 department of elementary and secondary education shall
6 develop the "Show Me Success Diploma" as an alternative
7 pathway to graduation for high school students that may be
8 earned at any point between the end of a student's tenth
9 grade year and the conclusion of the student's twelfth grade
10 year.

11 3. By July 1, 2023, the department of elementary and
12 secondary education shall develop detailed requirements for
13 students to become eligible for the show me success diploma
14 that include at least the following:

15 (1) Demonstrated skills and knowledge in English,
16 science, and mathematical literacy to be successful in
17 college level courses offered by the community colleges in

18 this state that count toward a degree or certificate without
19 taking remedial or developmental course work; and

20 (2) Satisfactory grades on approved examinations in
21 subjects determined to be necessary to prepare a student to
22 enter postsecondary education without remedial or
23 developmental course work.

24 4. School districts and charter schools may offer a
25 course of study designed to meet the requirements to obtain
26 a show me success diploma to students entering the ninth
27 grade. Students who elect to pursue a show me success
28 diploma shall participate in a course of study designed by
29 the school district to meet the requirements established
30 under subsection 3 of this section. The show me success
31 diploma shall be available to any such student until the end
32 of that student's twelfth grade year.

33 5. Students who earn a show me success diploma may
34 remain in high school and participate in programs of study
35 available through the school district or charter school
36 until that student would otherwise have graduated at the end
37 of grade twelve. For purposes of calculation and
38 distribution of state aid, the school district or charter
39 school of a pupil having earned a show me success diploma
40 who remains enrolled in the school district or charter
41 school shall continue to include the pupil in the pupil
42 enrollment of each such school district or charter school
43 and shall continue to receive funding for a pupil who earns
44 a show me success diploma until that pupil would otherwise
45 have graduated at the end of grade twelve. Students who
46 elect to remain in high school under this subsection shall
47 be eligible to participate in extracurricular activities,
48 including interscholastic sports, through the end of grade
49 twelve.

50 6. Students who pursue but do not meet the eligibility
51 requirements for a show me success diploma at the end of
52 grade ten or eleven shall receive a customized program of
53 assistance during the next school year that addresses areas
54 in which the student demonstrated deficiencies in the course
55 requirements. Students may choose to return to a
56 traditional academic program without completing the show me
57 success diploma.

58 7. The department of elementary and secondary
59 education shall provide training, guidance, and assistance
60 to teachers and administrators of the schools offering the
61 show me success diploma and shall closely monitor the
62 progress of the schools in the development of the program.

63 8. Pupils who earn a show me success diploma and do
64 not remain enrolled in the district or charter school and
65 instead enroll, or show proof that they will enroll, in a
66 postsecondary educational institution eligible to
67 participate in a student aid program administered by the
68 U.S. Department of Education shall be included in the
69 district's or charter school's state aid calculation under
70 section 163.031, until such time that the pupil would have
71 completed the pupil's twelfth grade year had the pupil not
72 earned a show me success diploma. The funding assigned to a
73 pupil under this subsection shall be calculated as if the
74 pupil's attendance percentage equaled the district's or
75 charter school's prior year average attendance percentage.
76 For a pupil who, as provided in this subsection, is included
77 in the district's or charter school's state aid calculation
78 but who is not enrolled in the district or charter school,
79 an amount equal to ninety percent of the pupil's
80 proportionate share of the state, local, and federal aid
81 that the district or charter school receives for the pupil

82 under this subsection shall be deposited by the school
83 district or charter school into an account established under
84 sections 166.400 to 166.455 that lists the pupil as the
85 beneficiary. The state treasurer shall provide guidance and
86 assist school districts, charter schools, pupils, and
87 parents or guardians of pupils with the creation,
88 maintenance, and use of an account that has been established
89 under sections 166.400 to 166.455.

90 9. The department of elementary and secondary
91 education shall promulgate all necessary rules and
92 regulations for the administration of this section. Any
93 rule or portion of a rule, as that term is defined in
94 section 536.010, that is created under the authority
95 delegated in this section shall become effective only if it
96 complies with and is subject to all of the provisions of
97 chapter 536 and, if applicable, section 536.028. This
98 section and chapter 536 are nonseverable, and if any of the
99 powers vested with the general assembly pursuant to chapter
100 536 to review, to delay the effective date, or to disapprove
101 and annul a rule are subsequently held unconstitutional,
102 then the grant of rulemaking authority and any rule proposed
103 or adopted after August 28, 2022, shall be invalid and void.

161.380. 1. Subject to appropriations, the department
2 of elementary and secondary education shall establish the
3 "Competency-Based Education Grant Program".

4 2. (1) There is hereby created in the state treasury
5 the "Competency-Based Education Grant Program Fund". The
6 fund shall consist of any appropriations to such fund and
7 any gifts, contributions, grants, or bequests received from
8 private or other sources for the purpose of providing
9 competency-based education programs. The state treasurer
10 shall be custodian of the fund. In accordance with sections

11 30.170 and 30.180, the state treasurer may approve
12 disbursements of public moneys in accordance with
13 distribution requirements and procedures developed by the
14 department of elementary and secondary education. The fund
15 shall be a dedicated fund and, upon appropriation, moneys in
16 the fund shall be used solely for the administration of this
17 section.

18 (2) Notwithstanding the provisions of section 33.080
19 to the contrary, any moneys remaining in the fund at the end
20 of the biennium shall not revert to the credit of the
21 general revenue fund.

22 (3) The state treasurer shall invest moneys in the
23 fund in the same manner as other funds are invested. Any
24 interest and moneys earned on such investments shall be
25 credited to the fund.

26 3. The department of elementary and secondary
27 education shall award grants from the competency-based
28 education grant program fund to eligible school districts
29 for the purpose of providing competency-based education
30 programs. A school district wishing to receive such a grant
31 shall submit an application to the department of elementary
32 and secondary education addressing:

33 (1) A core mission that competency-based education
34 courses shall help achieve;

35 (2) A plan that outlines competency-based education
36 courses and key metrics that will show success;

37 (3) Resources available to the school and in the
38 community that will assist in creating successful competency-
39 based outcomes; and

40 (4) Resources and support needed to help the school
41 succeed in implementing competency-based education courses.

42 4. The department of elementary and secondary
43 education shall facilitate the creation, sharing, and
44 development of course assessments, curriculum, training and
45 guidance for teachers, and best practices for the school
46 districts that offer competency-based education courses.

47 5. For purposes of this section, the term "competency-
48 based education program" means an educational program that:

49 (1) Affords students flexibility to progress and earn
50 course credit upon demonstration of mastery, including
51 through early high school graduation;

52 (2) Provides individual learning and assessment
53 options, including through experiential and project-based
54 learning, online or blended learning, additional remedial
55 education time, and accelerated-pace curricula;

56 (3) Assesses student proficiency based on graduate
57 profiles describing meaningful and critical knowledge and
58 skills that students should have upon graduation; or

59 (4) Assesses student proficiency through tasks
60 developed both locally and at the state level, performance
61 of which demonstrate mastery.

62 6. The department of elementary and secondary
63 education shall promulgate all necessary rules and
64 regulations for the administration of this section. Any
65 rule or portion of a rule, as that term is defined in
66 section 536.010, that is created under the authority
67 delegated in this section shall become effective only if it
68 complies with and is subject to all of the provisions of
69 chapter 536 and, if applicable, section 536.028. This
70 section and chapter 536 are nonseverable and if any of the
71 powers vested with the general assembly pursuant to chapter
72 536 to review, to delay the effective date, or to disapprove
73 and annul a rule are subsequently held unconstitutional,

74 then the grant of rulemaking authority and any rule proposed
75 or adopted after August 28, 2022, shall be invalid and void.

161.385. 1. There is hereby established the
2 "Competency-Based Education Task Force" to study and develop
3 competency-based education programs in public schools. Task
4 force members shall be chosen to represent the geographic
5 diversity of the state. Task force members shall be
6 appointed for a term of two years and may be reappointed.
7 All task force members shall be appointed before October 31,
8 2022, and every other year thereafter by December thirty-
9 first of that year. The task force members shall be
10 appointed as follows:

11 (1) Two members of the house of representatives
12 appointed by the speaker of the house of representatives,
13 with one such member from the majority party and one such
14 member from the minority party;

15 (2) Two members of the senate appointed by the
16 president pro tempore of the senate, with one such member
17 from the majority party and one such member from the
18 minority party;

19 (3) The commissioner of the department of elementary
20 and secondary education or his or her designee; and

21 (4) Four members appointed by the governor. Two
22 members shall each represent a separate school district that
23 offers competency-based education courses.

24 2. The members of the task force established under
25 subsection 1 of this section shall elect a chair from among
26 the membership of the task force. The task force shall meet
27 as needed to complete its consideration of its objectives as
28 established in subsections 4 and 5 of this section. Any
29 vacancy on the task force shall be filled in the same manner
30 as the original appointment. Members of the task force

31 shall serve without compensation, but shall be entitled to
32 reimbursement for actual and necessary expenses incurred in
33 the performance of official duties.

34 3. The department of elementary and secondary
35 education shall provide such legal, research, clerical, and
36 technical services as the task force may require in the
37 performance of official duties.

38 4. The task force shall:

39 (1) Work toward implementing competency-based
40 education courses statewide and devising a plan for Missouri
41 to lead the way in competency-based education courses;

42 (2) Solicit input from individuals and organizations
43 with information or expertise relevant to the task force's
44 objective, including experts and educators with experience
45 related to competency-based education programs;

46 (3) Hold at least three public hearings to provide an
47 opportunity to receive public testimony including, but not
48 limited to, testimony from educators, local school boards,
49 parents, representatives from business and industry, labor
50 and community leaders, members of the general assembly, and
51 the general public;

52 (4) Identify promising competency-based education
53 programs, including programs that:

54 (a) Afford students flexibility to progress and earn
55 course credit upon demonstration of mastery, including
56 through early high school graduation;

57 (b) Provide individual learning and assessment
58 options, including through experiential and project-based
59 learning, online or blended learning, additional remedial
60 education time, and accelerated-pace curricula;

61 (c) Assess student proficiency through tasks developed
62 both locally and at the state level, performance of which
63 demonstrate mastery;

64 (5) Identify obstacles to implementing competency-
65 based education programs in Missouri public schools;

66 (6) Develop comprehensive graduate profiles that
67 describe meaningful and critical knowledge skills that
68 students should have upon graduation that can be implemented
69 into a diploma designation;

70 (7) Develop findings and recommendations for
71 implementing competency-based education models and practices
72 in Missouri public schools, including recommending changes
73 to existing legislation, rules, and regulations; and

74 (8) Develop findings and recommendations for
75 implementing a competency-based performance assessment that:

76 (a) Is consistent with the most effective competency-
77 based education programs identified by the task force under
78 subdivision (3) of this subsection;

79 (b) Assesses students based on both locally developed
80 and common statewide performance tasks tied to grade and
81 course competencies aligned with state content standards; and

82 (c) Complies with all applicable federal law,
83 including 20 U.S.C. Section 6311(b)(1)(B), as amended. To
84 the extent that implementing a competency-based performance
85 assessment would require the department of elementary and
86 secondary education to obtain innovative assessment and
87 accountability demonstration authority under 20 U.S.C.
88 Section 6364, as amended, the task force shall develop
89 findings and recommendations for obtaining such authority.

90 5. The task force shall present its findings and
91 recommendations to the speaker of the house of
92 representatives, the president pro tempore of the senate,

93 the joint committee on education, and the state board of
94 education by December first annually.

162.1255. 1. For purposes of this section, the
2 following terms shall mean:

3 (1) "Competency-based credit", credit awarded by
4 school districts and charter schools to high school students
5 upon demonstration of competency as determined by a school
6 district. Such credit shall be awarded upon receipt of
7 "proficient" or "advanced" on an end-of-course assessment;

8 (2) "Prior year average attendance percentage", the
9 quotient of the district or charter school's prior year
10 average daily attendance divided by the district or charter
11 school's prior year average yearly enrollment.

12 2. School districts and charter schools shall receive
13 state school funding under sections 163.031, 163.043,
14 163.044, and 163.087 for resident pupils enrolled in the
15 school district or charter school and taking competency-
16 based courses offered by the school district.

17 3. For purposes of calculation and distribution of
18 state aid under section 163.031, attendance of a student
19 enrolled in a district's or charter school's competency-
20 based courses shall equal, upon course completion, the
21 product of the district or charter school's prior year
22 average attendance percentage multiplied by the total number
23 of attendance hours normally allocable to a noncompetency-
24 based course of equal credit value.

✓