

FIRST REGULAR SESSION

SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 85

102ND GENERAL ASSEMBLY

1222S.07C

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 163, RSMo, by adding thereto one new section relating to local control school districts.

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

Section A. Chapter 163, RSMo, is amended by adding thereto
2 one new section, to be known as section 163.201, to read as
3 follows:

163.201. 1. Any public school district or public
2 charter school shall be designated as a local control school
3 district by the department only if:

4 (1) The district or charter school certifies to the
5 department in writing that it intends to be designated as a
6 local control school district pursuant to the provisions of
7 this section; and

8 (2) The department has verified that the designation
9 of local control school district does not result in the loss
10 of any federal funds.

11 2. A local control school district shall not be
12 required by the department to participate in:

13 (1) The Missouri school improvement program;

14 (2) Annual performance reviews by the department;

15 (3) Developing standards of teaching to be provided to
16 the department as set forth in section 160.045; or

17 (4) The maintaining of a school improvement plan in
18 any format provided by or approved by the department.

19 The local board of education or governing body of a charter
20 school for a local control school district may decide by a
21 majority vote to require the district to develop and
22 publicly display a continuous improvement plan for the
23 district.

24 3. A local control school district shall not be
25 assigned the classification of unaccredited, provisionally
26 accredited, accredited, or accredited with distinction based
27 on the standards of the Missouri school improvement program.

28 4. A local control school district shall have the
29 ability to develop and implement a district assessment plan
30 consisting of a standardized assessment of academic subject
31 areas aligned to the district's subject area curriculum in
32 lieu of the Missouri assessment program. The district shall
33 not in any way be advised or incentivized by the department
34 to purchase, adopt, or implement curriculum resources,
35 software programs, or assessments purchased from commercial
36 vendors. No assessment items shall be developed from
37 materials provided to the district or teachers by entities
38 that have not been formally reviewed and adopted by the
39 district's board of education or governing body. Any
40 standardized assessment implemented by a local control
41 school district shall provide data that enables a comparison
42 of student achievement on the assessment in the district to
43 student achievement on the assessment across the nation and
44 the state of Missouri. The department shall post such
45 comparative data on the annual performance report cards
46 required under the provisions of subsection 160.522. Local
47 control school districts may form a consortium without state

48 board of education approval for the purpose of developing,
49 reporting, or purchasing assessments in their district
50 assessment plans. A local control school district shall
51 notify the state board of education of its intent to
52 implement a district assessment plan by June thirtieth prior
53 to the following school year. If a local control school
54 district does not meet the requirements of this subsection
55 in any school year, the department shall immediately revoke
56 such district's designation as a local control school
57 district, and the provisions of this section shall no longer
58 apply. The department shall notify a local control school
59 district within five business days of any such revocation.

60 5. All data shall remain at a local control school
61 district on servers secured according to industry
62 standards. Only aggregate data shall be shared outside of
63 the district. No personally identifiable information shall
64 be forwarded to publicly funded or private agencies,
65 including vendors.

66 6. A local control school district may continue to
67 receive state aid through this chapter or section 160.415.

68 7. A local control school district may apply for
69 grants and shall be considered for such grants without
70 prejudice or penalty.

71 8. Provided that the designation of local control
72 school district does not result in any loss of federal
73 funds, a local control school district that meets the
74 requirements of subsections 1 and 4 of this section shall
75 continue to be designated as a local control school district
76 until the district certifies to the department in writing
77 that the district no longer intends to be designated as a
78 local control school district. Upon receiving such

79 notification, the provisions of this section shall no longer
80 apply.

81 9. The department shall seek any necessary waivers
82 from the United States Department of Education in order to
83 implement the provisions of this section and shall ensure
84 that the implementation of this section does not result in
85 any loss of federal funds. If the designation of local
86 control school district results in any loss of federal
87 funds, the department shall immediately revoke the
88 designation and notify the district within five business
89 days of any such revocation.

90 10. As used in this section, the following terms shall
91 mean:

92 (1) "Academic subject area", English language arts;
93 traditional or classical mathematics; science anchored in
94 the scientific method; history and governments, and
95 traditional civics. The subject area of English language
96 arts shall not include material identified in chapter 573.
97 The subject area of history and governments shall
98 incorporate geography and the history and governments of the
99 United States and the world derived from primary source
100 documents;

101 (2) "Department", the Missouri department of
102 elementary and secondary education;

103 (3) "Personally identifiable information" or "PII",
104 any information that permits the identity of an individual
105 to be directly or indirectly inferred, including any
106 information that is linked or linkable to that individual,
107 regardless of whether the individual is a United States
108 citizen, legal permanent resident, visitor to the United
109 States, or employee or contractor with the department of

110 elementary and secondary education. "Personally
111 identifiable information" or "PII" includes sensitive PII;
112 (4) "Sensitive PII", personally identifiable
113 information that if lost, compromised, or disclosed without
114 authorization could result in substantial harm,
115 embarrassment, inconvenience, or unfairness to an individual;
116 (5) "Student", a person who is a resident of the state
117 and enrolled in a local educational agency.

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