

SECOND REGULAR SESSION

HOUSE BILL NO. 1956

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE RICHEY.

4381H.011

AN ACT

To amend chapters 160, 161, and 162, RSMo, by adding thereto four new sections relating to educational alternatives 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 by adding thereto four
2 new sections, to be known as sections 160.560, 161.380, 161.385, and 162.1255, to read as
3 follows:

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

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

**8 3. Before July 1, 2023, the department of elementary and secondary education
9 shall develop detailed requirements for students to become eligible for the show-me
10 success diploma that include at least the following:**

**11 (1) Demonstrated skills and knowledge in English, science, and mathematical
12 literacy to be successful in college-level courses offered by the community colleges in this
13 state that count toward a degree or certificate without taking remedial or developmental
14 coursework; and**

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.

15 **(2) Satisfactory grades on approved examinations in subjects determined to be**
16 **necessary to prepare a student to enter postsecondary education without taking**
17 **remedial or developmental coursework.**

18 **4. School districts and charter schools may offer a course of study designed to**
19 **meet the requirements to obtain a show-me success diploma to students entering the**
20 **ninth grade. Students who elect to pursue a show-me success diploma shall participate**
21 **in a course of study designed by the school district to meet the requirements established**
22 **under subsection 3 of this section. The show-me success diploma shall be available to**
23 **any such student until the end of that student's twelfth grade year.**

24 **5. Students who earn a show-me success diploma may remain in high school and**
25 **participate in programs of study available through the school district or charter school**
26 **until that student would otherwise have graduated at the end of grade twelve. For**
27 **purposes of calculation and distribution of state aid, the school district or charter school**
28 **of a pupil having earned a show-me success diploma who remains enrolled in the school**
29 **district or charter school shall continue to include the pupil in the pupil enrollment of**
30 **each such school district or charter school and shall continue to receive funding for a**
31 **pupil who earns a show-me success diploma until that pupil would otherwise have**
32 **graduated at the end of grade twelve. Students who elect to remain in high school under**
33 **this subsection shall be eligible to participate in extracurricular activities, including**
34 **interscholastic sports, through the end of grade twelve.**

35 **6. Students who pursue but do not meet the eligibility requirements for a show-**
36 **me success diploma at the end of grade ten or eleven shall receive a customized program**
37 **of assistance during the next school year that addresses areas in which the student**
38 **demonstrated deficiencies in the course requirements. Students may choose to return to**
39 **a traditional academic program without completing the show-me success diploma.**

40 **7. The department of elementary and secondary education shall provide**
41 **training, guidance, and assistance to teachers and administrators of the schools offering**
42 **the show-me success diploma and shall closely monitor the progress of the schools in the**
43 **development of the program.**

44 **8. Pupils who earn a show-me success diploma and do not remain enrolled in the**
45 **district or charter school and instead enroll, or show proof that they will enroll, in a**
46 **postsecondary educational institution eligible to participate in a student aid program**
47 **administered by the U.S. Department of Education shall be included in the district's or**
48 **charter school's state aid calculation under section 163.031, until such time that the**
49 **pupil would have completed the pupil's twelfth grade year had the pupil not earned a**
50 **show-me success diploma. The funding assigned to a pupil under this subsection shall**
51 **be calculated as if the pupil's attendance percentage equaled the district's or charter**

52 school's prior year average attendance percentage. For a pupil who, as provided in this
53 subsection, is included in the district's or charter school's state aid calculation but who
54 is not enrolled in the district or charter school, an amount equal to ninety percent of the
55 pupil's proportionate share of the state, local, and federal aid that the district or charter
56 school receives for the pupil under this subsection shall be deposited into an account
57 established under sections 166.400 to 166.455 that lists the pupil as the beneficiary. The
58 state treasurer shall provide guidance and assist school districts, charter schools, pupils,
59 and parents or guardians of pupils with the creation, maintenance, and use of an
60 account that has been established under sections 166.400 to 166.455.

61 9. The department of elementary and secondary education shall promulgate all
62 necessary rules and regulations for the administration of this section. Any rule or
63 portion of a rule, as that term is defined in section 536.010, that is created under the
64 authority delegated in this section shall become effective only if it complies with and is
65 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This
66 section and chapter 536 are nonseverable, and if any of the powers vested with the
67 general assembly pursuant to chapter 536 to review, to delay the effective date, or to
68 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
69 rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be
70 invalid and void.

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

4 2. (1) There is hereby created in the state treasury the "Competency-Based
5 Education Grant Program Fund". The fund shall consist of any appropriations to such
6 fund and any gifts, contributions, grants, or bequests received from private or other
7 sources for the purpose of providing competency-based education programs. The state
8 treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180,
9 the state treasurer may approve disbursements of public moneys in accordance with
10 distribution requirements and procedures developed by the department of elementary
11 and secondary education. The fund shall be a dedicated fund and, upon appropriation,
12 moneys in the fund shall be used solely for the administration of this section.

13 (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys
14 remaining in the fund at the end of the biennium shall not revert to the credit of the
15 general revenue fund.

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

19 **3. The department of elementary and secondary education shall award grants**
20 **from the competency-based education grant program fund to eligible school districts for**
21 **the purpose of providing competency-based education programs. A school district**
22 **wishing to receive such a grant shall submit an application to the department of**
23 **elementary and secondary education addressing:**

24 **(1) A core mission that competency-based education courses will help achieve;**

25 **(2) A plan that outlines competency-based education courses and key metrics**
26 **that will show success;**

27 **(3) Resources available to the school and in the community that will assist in**
28 **creating successful competency-based outcomes; and**

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

31 **4. The department of elementary and secondary education shall facilitate the**
32 **creation, sharing, and development of course assessments; curriculum; training and**
33 **guidance for teachers; and best practices for the school districts that offer competency-**
34 **based education courses.**

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

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

39 **(2) Provides individual learning and assessment options, including through**
40 **experiential and project-based learning, online or blended learning, additional remedial**
41 **education time, and accelerated-pace curricula;**

42 **(3) Assesses student proficiency based on graduate profiles describing**
43 **meaningful and critical knowledge and skills that students should have upon**
44 **graduation; or**

45 **(4) Assesses student proficiency through tasks developed both locally and at the**
46 **state level, performance of which demonstrates mastery.**

47 **6. The department of elementary and secondary education shall promulgate all**
48 **necessary rules and regulations for the administration of this section. Any rule or**
49 **portion of a rule, as that term is defined in section 536.010, that is created under the**
50 **authority delegated in this section shall become effective only if it complies with and is**
51 **subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This**
52 **section and chapter 536 are nonseverable, and if any of the powers vested with the**
53 **general assembly pursuant to chapter 536 to review, to delay the effective date, or to**
54 **disapprove and annul a rule are subsequently held unconstitutional, then the grant of**

55 rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be
56 invalid and void.

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

8 (1) Two members of the house of representatives appointed by the speaker of the
9 house of representatives;

10 (2) Two members of the senate appointed by the president pro tempore of the
11 senate;

12 (3) The commissioner of the department of elementary and secondary education
13 or the commissioner's designee; and

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

16 2. The members of the task force established under subsection 1 of this section
17 shall elect a chair from among the membership of the task force. The task force shall
18 meet as needed to complete its consideration of its objectives as established in
19 subsections 4 and 5 of this section. Any vacancy on the task force shall be filled in the
20 same manner as the original appointment. Members of the task force shall serve
21 without compensation, but shall be entitled to reimbursement for actual and necessary
22 expenses incurred in the performance of official duties.

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

26 4. The task force shall:

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

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

33 (3) Hold at least three public hearings to provide an opportunity to receive
34 public testimony including, but not limited to, testimony from educators, local school

35 boards, parents, representatives from business and industry, labor and community
36 leaders, members of the general assembly, and the general public;

37 (4) Identify promising competency-based education programs, including
38 programs that:

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

41 (b) Provide individual learning and assessment options, including through
42 experiential and project-based learning, online or blended learning, additional remedial
43 education time, and accelerated-pace curricula; or

44 (c) Assess student proficiency through tasks developed both locally and at the
45 state level, performance of which demonstrates mastery;

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

48 (6) Develop comprehensive graduate profiles that describe meaningful and
49 critical knowledge skills that students should have upon graduation that can be
50 implemented into a diploma designation;

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

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

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

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

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

67 5. Beginning in 2023, the task force shall present its findings and
68 recommendations to the speaker of the house of representatives, the president pro
69 tempore of the senate, the joint committee on education, and the state board of
70 education by December first annually.

162.1255. 1. As used in this section, the following terms mean:

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

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

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

13 **3. For purposes of calculation and distribution of state aid under section**
14 **163.031, attendance of a student enrolled in a district's or charter school's competency-**
15 **based courses shall equal, upon course completion, the product of the district's or**
16 **charter school's prior year average attendance percentage multiplied by the total**
17 **number of attendance hours normally allocable to a noncompetency-based course of**
18 **equal credit value.**

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