

FIRST REGULAR SESSION

HOUSE BILL NO. 520

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE RICHEY.

1363H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapters 161 and 162, RSMo, by adding thereto three 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 161 and 162, RSMo, are amended by adding thereto three new sections, to be known as sections 161.380, 161.385, and 162.1255, to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

43 **(4) Assesses student proficiency through tasks developed both locally and at the**
44 **state level, performance of which demonstrate mastery.**

45 **6. The department of elementary and secondary education shall promulgate all**
46 **necessary rules and regulations for the administration of this section. Any rule or portion**
47 **of a rule, as that term is defined in section 536.010, that is created under the authority**
48 **delegated in this section shall become effective only if it complies with and is subject to all**
49 **of the provisions of chapter 536 and, if applicable, section 536.028. This section and**
50 **chapter 536 are nonseverable, and if any of the powers vested with the general assembly**
51 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
52 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority and**
53 **any rule proposed or adopted after August 28, 2021, shall be invalid and void.**

161.385. 1. There is hereby established the "Competency-Based Education Task Force" to study and develop competency-based education programs in public schools. Task force members shall be chosen to represent the geographic diversity of the state. Task force members shall be appointed for a term of two years and may be reappointed. All task force members shall be appointed before December 31, 2021, and every other year thereafter by December thirty-first of that year. The task force members shall be appointed as follows:

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

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

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

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

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

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

4. The task force shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

66 **5. Beginning in 2022, the task force shall present its findings and recommendations**
67 **to the speaker of the house of representatives, the president pro tempore of the senate, the**
68 **joint committee on education, and the state board of 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 "advanced"
5 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 163.031,
14 attendance of a student enrolled in a district's or charter school's competency-based
15 courses shall equal, upon course completion, the product of the district's or charter school's
16 prior year average attendance percentage multiplied by the total number of attendance
17 hours normally allocable to a noncompetency-based course of equal credit value.

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