

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 604
100TH GENERAL ASSEMBLY

Reported from the Committee on Education, April 25, 2019, with recommendation that the Senate Committee Substitute do pass.

1378S.04C

ADRIANE D. CROUSE, Secretary.

AN ACT

To amend chapter 161, RSMo, by adding thereto eleven new sections relating to elementary and secondary education.

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

Section A. Chapter 161, RSMo, is amended by adding thereto eleven new sections, to be known as sections 161.1080, 161.1085, 161.1090, 161.1095, 161.1100, 161.1105, 161.1110, 161.1115, 161.1120, 161.1125, and 161.1130, to read as follows:

161.1080. Sections 161.1080 to 161.1130 shall be known and may be cited as the "School Turnaround Act".

161.1085. For purposes of sections 161.1080 to 161.1130, the following terms mean:

(1) "Department", the department of elementary and secondary education;

(2) "Governing board", the board of education of a district or the governing board of a charter school that has declared itself a local educational agency;

(3) "Initial remedial year", the year in which a district school or charter school is designated as a school in need of intervention under section 161.1090;

(4) "Local educational agency", any school district and any charter school that has declared itself a local educational agency;

(5) "School", a public school under the control of a local educational agency;

(6) "School in need of intervention", a school that has been

16 designated as in need of intervention by the department according to
17 an outcome-based measure as determined by the department under
18 section 161.1090, which may include, but shall not be required to
19 include, schools identified for intervention under the state's Every
20 Student Succeeds Act plan;

21 (7) "Statewide assessment", any test of student achievement in
22 English language arts, mathematics, or science, including any such test
23 administered in a computer-adaptive format, that is administered
24 statewide under section 160.518.

161.1090. 1. Subject to appropriation, the department shall
2 establish a school turnaround program to assist schools designated by
3 the department as in need of intervention in accordance with the
4 provisions of sections 161.1080 to 161.1130.

5 2. The department shall use an outcome-based measure to set
6 criteria for the designation of schools in need of intervention.

7 3. No more than one month after statewide assessment results
8 are made public, the department shall designate specific schools as in
9 need of intervention. The department shall designate a school as in
10 need of intervention only if sufficient funds are available in the school
11 turnaround fund established in section 161.1105 to pay an independent
12 school turnaround expert.

13 4. The department shall determine the specific criteria that a
14 school shall be required to meet in order to exit the school turnaround
15 program based on the same outcome-based measure that was used to
16 designate the school as in need of intervention.

17 5. The department shall not designate any school as in need of
18 intervention before September 1, 2020.

19 6. Nothing in this section shall prohibit the criteria established
20 under this section from satisfying a school's requirement for
21 intervention under the Every Student Succeeds Act.

161.1095. 1. Before October first of an initial remedial year, the
2 governing board of any local educational agency with a school in need
3 of intervention shall establish a school turnaround committee
4 composed of the following members:

5 (1) One member of the governing board;

6 (2) The school principal;

7 (3) Three parents of students enrolled in the school, appointed

8 by the local parent-teacher association;

9 (4) Four teachers at the school, appointed by the principal; and

10 (5) The district's chief financial officer or equivalent.

11 2. Before October fifteenth of an initial remedial year, the
12 governing board of any local educational agency with a school in need
13 of intervention shall partner with the school turnaround committee to
14 select an independent school turnaround expert from the experts
15 identified by the department under section 161.1100.

16 3. The governing board shall not select an independent school
17 turnaround expert that is:

18 (1) The local educational agency with the school in need of
19 intervention; or

20 (2) An employee of the local educational agency with the school
21 in need of intervention.

22 4. A school turnaround committee shall partner with the
23 independent school turnaround expert selected under subsection 2 of
24 this section to develop and implement a school turnaround plan that
25 includes:

26 (1) The findings of the analysis conducted by the independent
27 school turnaround expert on the data described in subdivision (1) of
28 subsection 1 of section 161.1100;

29 (2) Recommendations regarding changes to the school's
30 personnel, culture, curriculum, assessments, instructional practices,
31 digital tools and other methods for teaching and learning, governance,
32 leadership, finances, policies, or other areas that may be necessary to
33 implement the school turnaround plan;

34 (3) Measurable student achievement goals and objectives;

35 (4) A professional development plan that identifies a strategy to
36 address problems of instructional practice;

37 (5) A leadership development plan focused on proven strategies
38 to turn around schools in need of intervention that align with
39 administrator standards developed under section 168.410;

40 (6) A detailed budget specifying how the school turnaround plan
41 will be funded;

42 (7) A plan to assess and monitor progress;

43 (8) A plan to communicate and report data on progress to
44 stakeholders; and

45 **(9) A time line for implementation.**

46 **5. Any local educational agency with a school in need of**
47 **intervention shall:**

48 **(1) Prioritize funding and resources to the school in need of**
49 **intervention; and**

50 **(2) Grant the school in need of intervention streamlined**
51 **authority over staff, schedule, policies, budget, and academic programs**
52 **to implement the school turnaround plan.**

53 **6. Before March first of an initial remedial year, a school**
54 **turnaround committee shall submit the school turnaround plan to the**
55 **governing board for approval.**

56 **7. Except as provided in subsection 8 of this section, before April**
57 **first of an initial remedial year, the governing board shall submit the**
58 **school turnaround plan to the department for approval.**

59 **8. If the governing board does not approve the school**
60 **turnaround plan submitted under subsection 6 of this section, the**
61 **school turnaround committee may submit a new or revised school**
62 **turnaround plan to the governing board for approval. In order to allow**
63 **additional time for the governing board to consider a new or revised**
64 **school turnaround plan, the rules may extend the April first deadline**
65 **for the governing board to submit the school turnaround plan to the**
66 **department. The department shall not approve a school turnaround**
67 **plan unless such plan has been approved by the governing board of the**
68 **school in need of intervention.**

161.1100. 1. Before August 30, 2020, the department shall identify
2 **two or more approved independent school turnaround experts, through**
3 **a request for proposals process, that a school in need of intervention**
4 **may select from to partner with, to:**

5 **(1) Collect and analyze data on the school's student achievement,**
6 **personnel, culture, curriculum, assessments, instructional practices,**
7 **digital tools and other methods for teaching and learning, governance,**
8 **leadership, finances, and policies;**

9 **(2) Recommend changes to the school's culture, curriculum,**
10 **assessments, instructional practices, governance, finances, policies, or**
11 **other areas based on data collected under subdivision (1) of this**
12 **subsection;**

13 **(3) Develop and implement, in partnership with the school**

14 **turnaround committee, a school turnaround plan that meets the criteria**
15 **described in section 161.1095;**

16 **(4) Monitor the effectiveness of a school turnaround plan**
17 **through reliable means of evaluation including, but not limited to, on-**
18 **site visits, observations, surveys, analysis of student achievement data,**
19 **and interviews;**

20 **(5) Provide ongoing implementation support and project**
21 **management for a school turnaround plan;**

22 **(6) Provide high-quality professional development and coaching**
23 **personalized for school staff that is designed to build:**

24 **(a) The leadership capacity of the school principal;**

25 **(b) The instructional capacity of school staff; and**

26 **(c) The collaborative practices of teacher and leadership teams;**

27 **(7) Provide job-embedded professional learning and coaching for**
28 **all instructional staff on a weekly basis, at a minimum;**

29 **(8) Provide job-embedded professional learning and coaching for**
30 **the school principal at least twice monthly, focused on proven**
31 **strategies to turn around schools in need of intervention that are**
32 **aligned with administrator standards developed under section 168.410;**
33 **and**

34 **(9) Leverage support from community partners to coordinate an**
35 **efficient delivery of supports to students both inside and outside the**
36 **classroom.**

37 **2. In identifying independent school turnaround experts under**
38 **subsection 1 of this section, the department shall identify experts who:**

39 **(1) Have a credible track record of improving student academic**
40 **achievement in public schools with various demographic**
41 **characteristics, as measured by statewide assessments;**

42 **(2) Have experience designing, implementing, and evaluating**
43 **data-driven instructional systems in public schools;**

44 **(3) Have experience coaching public school administrators and**
45 **teachers on designing and implementing data-driven school**
46 **improvement plans;**

47 **(4) Have experience collaborating with the various education**
48 **entities that govern public schools;**

49 **(5) Have experience delivering high-quality professional**
50 **development and coaching in instructional effectiveness to public**

51 school administrators and teachers;

52 (6) Are willing to be compensated for professional services based
53 on performance as described in section 161.1105; and

54 (7) Are willing to partner with any school in need of intervention
55 in the state, regardless of location.

161.1105. 1. The department shall award contracts to
2 independent school turnaround experts. Governing boards shall not be
3 required to pay independent school turnaround experts.

4 2. When awarding a contract to an independent school
5 turnaround expert selected by the governing board under section
6 161.1095, the department shall ensure that a contract between the
7 governing board and the independent school turnaround expert
8 specifies that the department shall:

9 (1) Pay an independent school turnaround expert no more than
10 fifty percent of the expert's professional fees during the time period the
11 school turnaround expert is providing services to the school in need of
12 intervention; and

13 (2) Pay the remainder of the independent school turnaround
14 expert's professional fees upon the independent school turnaround
15 expert successfully helping a school in need of intervention meet exit
16 criteria as determined by the department under section 161.1090 within
17 four school years after a school is designated as needing intervention.

18 3. In negotiating a contract with an independent school
19 turnaround expert, the department shall offer:

20 (1) An average of five hundred thousand dollars for the entirety
21 of the project;

22 (2) Differentiated amounts of funding based on student
23 enrollment; and

24 (3) A higher amount of funding for schools that are in the lowest-
25 performing one percent of schools statewide according to the outcome-
26 based measure determined by the department under section 161.1090.

27 4. There is hereby created in the state treasury the "School
28 Turnaround Fund". The fund shall consist of all moneys that may be
29 appropriated to it by the general assembly and any gifts, contributions,
30 grants, or bequests received from federal, private, or other
31 sources. The state treasurer shall be custodian of the fund. In
32 accordance with sections 30.170 and 30.180, the state treasurer may

33 approve disbursements of public moneys in accordance with
34 distribution requirements and procedures developed by the department
35 of elementary and secondary education. The fund shall be a dedicated
36 fund and, upon appropriation, moneys in the fund shall be used solely
37 for payments to independent school turnaround experts and for
38 administrative expenses for the school turnaround
39 program. Notwithstanding the provisions of section 33.080 to the
40 contrary, any moneys remaining in the fund at the end of the biennium
41 shall not revert to the credit of the general revenue fund. The state
42 treasurer shall invest moneys in the fund in the same manner as other
43 funds are invested. Any interest and moneys earned on such
44 investments shall be credited to the fund.

161.1110. 1. The department shall review a school turnaround
2 plan submitted for approval under section 161.1095 within thirty days
3 of submission.

4 2. The department shall approve a school turnaround plan that:

5 (1) Is timely;

6 (2) Is well-developed; and

7 (3) Meets the criteria described in section 161.1095.

8 3. The department shall promulgate rules to establish an appeals
9 process for a governing board that does not receive approval of its
10 school turnaround plan from the department under section 161.1095.

11 4. The department shall ensure that the rules require the appeals
12 process, described in subsection 3 of this section, be resolved before
13 May fifteenth of the initial remedial year.

14 5. There is hereby created in the state treasury the "School
15 Intervention Fund". The fund shall consist of all moneys that may be
16 appropriated to it by the general assembly and any gifts, contributions,
17 grants, or bequests received from federal, private, or other sources for
18 the purpose of distributing grants to local educational agencies as
19 described in this section. The state treasurer shall be custodian of the
20 fund. In accordance with sections 30.170 and 30.180, the state treasurer
21 may approve disbursements of public moneys in accordance with
22 distribution requirements and procedures developed by the department
23 of elementary and secondary education. The fund shall be a dedicated
24 fund and, upon appropriation, moneys in the fund shall be used solely
25 for the administration of grants to local educational agencies as

26 described in this section. Notwithstanding the provisions of section
27 33.080 to the contrary, any moneys remaining in the fund at the end of
28 the biennium shall not revert to the credit of the general revenue
29 fund. The state treasurer shall invest moneys in the fund in the same
30 manner as other funds are invested. Any interest and moneys earned
31 on such investments shall be credited to the fund.

32 6. The department shall award grants from the school
33 intervention fund to local educational agencies for the purpose of
34 funding interventions identified in approved school turnaround plans.
35 A local educational agency shall be eligible for a grant only if it
36 provides matching funds or an in-kind contribution of goods or services
37 in an amount equal to the grant award it would receive from the
38 department.

161.1115. 1. A school in need of intervention that does not meet
2 the exit criteria determined by the department under section 161.1090
3 within three school years after the day on which the school is
4 designated a school in need of intervention may petition the
5 department for an extension to continue school improvement efforts for
6 up to two years.

7 2. The department shall grant an extension under subsection 1
8 of this section only if the school in need of intervention:

9 (1) Has demonstrated at least fifty percent of the improvement
10 necessary to exit the turnaround process; or

11 (2) Submits an appeal to the department.

12 3. The department may extend the contract of an independent
13 school turnaround expert for a school in need of intervention that is
14 granted an extension under this section.

15 4. A school that has been granted an extension under this section
16 is eligible for continued funding under subsection 3 of this section.

17 5. The department shall promulgate rules establishing additional
18 interventions for:

19 (1) A school in need of intervention that:

20 (a) Does not meet the predetermined exit criteria within three
21 school years after the day on which the school is designated in need of
22 intervention; and

23 (b) Is not granted an extension under this section; and

24 (2) A school in need of intervention that:

- 25 **(a) Is granted an extension under this section; and**
26 **(b) Does not meet the predetermined exit criteria within three**
27 **school years after the day on which the school in need of intervention**
28 **is granted an extension.**

161.1120. 1. For purposes of this section, the term "eligible
2 **school" means a school in need of intervention that:**

3 **(1) Meets predetermined exit criteria within three school years**
4 **after the day on which the school is designated a school in need of**
5 **intervention; or**

6 **(2) If granted an extension under section 161.1115, meets**
7 **predetermined exit criteria within the extension period.**

8 **2. Subject to appropriation, the department shall establish a**
9 **statewide program to be known as the "School Recognition and Reward**
10 **Program" to provide incentives to schools and teachers to improve**
11 **schools in need of intervention.**

12 **3. There is hereby created in the state treasury the "School**
13 **Recognition and Reward Fund". The fund shall consist of all moneys**
14 **that may be appropriated to it by the general assembly and any gifts,**
15 **contributions, grants, or bequests received from federal, private, or**
16 **other sources for the purpose of distributing grants to local educational**
17 **agencies as described in this section. The state treasurer shall be**
18 **custodian of the fund. In accordance with sections 30.170 and 30.180,**
19 **the state treasurer may approve disbursements of public moneys in**
20 **accordance with distribution requirements and procedures developed**
21 **by the department of elementary and secondary education. The fund**
22 **shall be a dedicated fund and, upon appropriation, moneys in the fund**
23 **shall be used solely for the administration of grants to local**
24 **educational agencies as described in this section. Notwithstanding the**
25 **provisions of section 33.080 to the contrary, any moneys remaining in**
26 **the fund at the end of the biennium shall not revert to the credit of the**
27 **general revenue fund. The state treasurer shall invest moneys in the**
28 **fund in the same manner as other funds are invested. Any interest and**
29 **moneys earned on such investments shall be credited to the fund.**

30 **4. The department shall award grants from the school**
31 **recognition and reward fund to local educational agencies with eligible**
32 **schools. The department shall require, as a condition of awarding a**
33 **grant, that the local educational agency use the grant moneys to reward**

34 eligible schools, teachers employed by eligible schools, or both the
35 eligible schools and the teachers.

161.1125. Before November 30, 2021, and before November
2 thirtieth of each year thereafter, the department shall report to the
3 joint committee on education on the implementation of sections
4 161.1080 to 161.1130.

161.1130. The department shall promulgate rules to implement
2 the provisions of sections 161.1080 to 161.1130. Any rule or portion of
3 a rule, as that term is defined in section 536.010, that is created under
4 the authority delegated in sections 161.1080 to 161.1130 shall become
5 effective only if it complies with and is subject to all of the provisions
6 of chapter 536, and, if applicable, section 536.028. Sections 161.1080 to
7 161.1130 and chapter 536 are nonseverable, and if any of the powers
8 vested with the general assembly pursuant to chapter 536 to review, to
9 delay the effective date, or to disapprove and annul a rule are
10 subsequently held unconstitutional, then the grant of rulemaking
11 authority and any rule proposed or adopted after August 28, 2019, shall
12 be invalid and void.

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