

SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 604

AN ACT

To repeal section 167.125, RSMo, and to enact in lieu thereof thirteen new sections relating to elementary and secondary education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
AS FOLLOWS:

1 Section A. Section 167.125, RSMo, is repealed and thirteen
2 new sections enacted in lieu thereof, to be known as sections
3 161.089, 161.1080, 161.1085, 161.1090, 161.1095, 161.1100,
4 161.1105, 161.1110, 161.1115, 161.1120, 161.1125, 161.1130, and
5 167.125, to read as follows:

6 161.089. 1. For purposes of this section, the term
7 "accreditation standards" means the standards of the Missouri
8 school improvement program or its successor accreditation
9 program.

10 2. The state board of education shall modify accreditation
11 standards for special school districts to reflect the educational
12 needs of students served by such districts and appropriately
13 measure the performance of the students.

14 3. Before July 1, 2020, the state board of education shall,

1 through administrative rule, adopt modified accreditation
2 standards for special school districts. Any rule or portion of a
3 rule, as that term is defined in section 536.010 that is created
4 under the authority delegated in this section shall become
5 effective only if it complies with and is subject to all of the
6 provisions of chapter 536, and, if applicable, section 536.028.
7 This section and chapter 536 are nonseverable and if any of the
8 powers vested with the general assembly pursuant to chapter 536,
9 to review, to delay the effective date, or to disapprove and
10 annul a rule are subsequently held unconstitutional, then the
11 grant of rulemaking authority and any rule proposed or adopted
12 after August 28, 2019, shall be invalid and void.

13 161.1080. Sections 161.1080 to 161.1130 shall be known and
14 may be cited as the "School Turnaround Act".

15 161.1085. For purposes of sections 161.1080 to 161.1130,
16 the following terms mean:

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

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

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

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

28 (5) "School", a public school under the control of a local

1 educational agency;

2 (6) "School in need of intervention", a school that has
3 been designated as in need of intervention by the department
4 according to an outcome-based measure as determined by the
5 department under section 161.1090, which may include, but shall
6 not be required to include, schools identified for intervention
7 under the state's Every Student Succeeds Act plan;

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

12 161.1090. 1. Subject to appropriation, the department
13 shall establish a school turnaround program to assist schools
14 designated by the department as in need of intervention in
15 accordance with the provisions of sections 161.1080 to 161.1130.

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

18 3. No more than one month after statewide assessment
19 results are made public, the department shall designate specific
20 schools as in need of intervention. The department shall
21 designate a school as in need of intervention only if sufficient
22 funds are available in the school turnaround fund established in
23 section 161.1105 to pay an independent school turnaround expert.

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

28 5. The department shall not designate any school as in need

1 of intervention before September 1, 2020.

2 6. Nothing in this section shall prohibit the criteria
3 established under this section from satisfying a school's
4 requirement for intervention under the Every Student Succeeds
5 Act.

6 161.1095. 1. Before October first of an initial remedial
7 year, the governing board of any local educational agency with a
8 school in need of intervention shall establish a school
9 turnaround committee composed of the following members:

10 (1) One member of the governing board;

11 (2) The school principal;

12 (3) Three parents of students enrolled in the school,
13 appointed by the local parent-teacher association;

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

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

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

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

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

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

28 4. A school turnaround committee shall partner with the

1 independent school turnaround expert selected under subsection 2
2 of this section to develop and implement a school turnaround plan
3 that includes:

4 (1) The findings of the analysis conducted by the
5 independent school turnaround expert on the data described in
6 subdivision (1) of subsection 1 of section 161.1100;

7 (2) Recommendations regarding changes to the school's
8 personnel, culture, curriculum, assessments, instructional
9 practices, digital tools and other methods for teaching and
10 learning, governance, leadership, finances, policies, or other
11 areas that may be necessary to implement the school turnaround
12 plan;

13 (3) Measurable student achievement goals and objectives;

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

16 (5) A leadership development plan focused on proven
17 strategies to turn around schools in need of intervention that
18 align with administrator standards developed under section
19 168.410;

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

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

23 (8) A plan to communicate and report data on progress to
24 stakeholders; and

25 (9) A time line for implementation.

26 5. Any local educational agency with a school in need of
27 intervention shall:

28 (1) Prioritize funding and resources to the school in need

1 of intervention; and

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

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

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

12 8. If the governing board does not approve the school
13 turnaround plan submitted under subsection 6 of this section, the
14 school turnaround committee may submit a new or revised school
15 turnaround plan to the governing board for approval. In order to
16 allow additional time for the governing board to consider a new
17 or revised school turnaround plan, the rules may extend the April
18 first deadline for the governing board to submit the school
19 turnaround plan to the department. The department shall not
20 approve a school turnaround plan unless such plan has been
21 approved by the governing board of the school in need of
22 intervention.

23 161.1100. 1. Before August 30, 2020, the department shall
24 identify two or more approved independent school turnaround
25 experts, through a request for proposals process, that a school
26 in need of intervention may select from to partner with, to:

27 (1) Collect and analyze data on the school's student
28 achievement, personnel, culture, curriculum, assessments,

1 instructional practices, digital tools and other methods for
2 teaching and learning, governance, leadership, finances, and
3 policies;

4 (2) Recommend changes to the school's culture, curriculum,
5 assessments, instructional practices, governance, finances,
6 policies, or other areas based on data collected under
7 subdivision (1) of this subsection;

8 (3) Develop and implement, in partnership with the school
9 turnaround committee, a school turnaround plan that meets the
10 criteria described in section 161.1095;

11 (4) Monitor the effectiveness of a school turnaround plan
12 through reliable means of evaluation including, but not limited
13 to, on-site visits, observations, surveys, analysis of student
14 achievement data, and interviews;

15 (5) Provide ongoing implementation support and project
16 management for a school turnaround plan;

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

19 (a) The leadership capacity of the school principal;

20 (b) The instructional capacity of school staff; and

21 (c) The collaborative practices of teacher and leadership
22 teams;

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

25 (8) Provide job-embedded professional learning and coaching
26 for the school principal at least twice monthly, focused on
27 proven strategies to turn around schools in need of intervention
28 that are aligned with administrator standards developed under

1 section 168.410; and

2 (9) Leverage support from community partners to coordinate
3 an efficient delivery of supports to students both inside and
4 outside the classroom.

5 2. In identifying independent school turnaround experts
6 under subsection 1 of this section, the department shall identify
7 experts who:

8 (1) Have a credible track record of improving student
9 academic achievement in public schools with various demographic
10 characteristics, as measured by statewide assessments;

11 (2) Have experience designing, implementing, and evaluating
12 data-driven instructional systems in public schools;

13 (3) Have experience coaching public school administrators
14 and teachers on designing and implementing data-driven school
15 improvement plans;

16 (4) Have experience collaborating with the various
17 education entities that govern public schools;

18 (5) Have experience delivering high-quality professional
19 development and coaching in instructional effectiveness to public
20 school administrators and teachers;

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

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

25 161.1105. 1. The department shall award contracts to
26 independent school turnaround experts. Governing boards shall
27 not be required to pay independent school turnaround experts.

28 2. When awarding a contract to an independent school

1 turnaround expert selected by the governing board under section
2 161.1095, the department shall ensure that a contract between the
3 governing board and the independent school turnaround expert
4 specifies that the department shall:

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

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

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

17 (1) An average of six hundred and fifty thousand dollars
18 for the entirety of the project;

19 (2) Differentiated amounts of funding based on student
20 enrollment; and

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

25 4. There is hereby created in the state treasury the
26 "School Turnaround Fund". The fund shall consist of all moneys
27 that may be appropriated to it by the general assembly and any
28 gifts, contributions, grants, or bequests received from federal,

1 private, or other sources. The state treasurer shall be
2 custodian of the fund. In accordance with sections 30.170 and
3 30.180, the state treasurer may approve disbursements of public
4 moneys in accordance with distribution requirements and
5 procedures developed by the department of elementary and
6 secondary education. The fund shall be a dedicated fund and,
7 upon appropriation, moneys in the fund shall be used solely for
8 payments to independent school turnaround experts and for
9 administrative expenses for the school turnaround program.
10 Notwithstanding the provisions of section 33.080 to the contrary,
11 any moneys remaining in the fund at the end of the biennium shall
12 not revert to the credit of the general revenue fund. The state
13 treasurer shall invest moneys in the fund in the same manner as
14 other funds are invested. Any interest and moneys earned on such
15 investments shall be credited to the fund.

16 161.1110. 1. The department shall review a school
17 turnaround plan submitted for approval under section 161.1095
18 within thirty days of submission.

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

21 (1) Is timely;

22 (2) Is well-developed; and

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

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

28 4. The department shall ensure that the rules require the

1 appeals process, described in subsection 3 of this section, be
2 resolved before May fifteenth of the initial remedial year.

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

23 6. The department shall award grants from the school
24 intervention fund to local educational agencies for the purpose
25 of funding interventions identified in approved school turnaround
26 plans. A local educational agency shall be eligible for a grant
27 only if it provides matching funds or an in-kind contribution of
28 goods or services in an amount equal to the grant award it would

1 receive from the department.

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

8 2. The department shall grant an extension under subsection
9 1 of this section only if the school in need of intervention:

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

12 (2) Submits an appeal to the department.

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

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

19 5. The department shall promulgate rules establishing
20 additional interventions for:

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

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

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

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

27 (a) Is granted an extension under this section; and

28 (b) Does not meet the predetermined exit criteria within

1 three school years after the day on which the school in need of
2 intervention is granted an extension.

3 161.1120. 1. For purposes of this section, the term
4 "eligible school" means a school in need of intervention that:

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

8 (2) If granted an extension under section 161.1115, meets
9 predetermined exit criteria within the extension period.

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

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

1 section 33.080 to the contrary, any moneys remaining in the fund
2 at the end of the biennium shall not revert to the credit of the
3 general revenue fund. The state treasurer shall invest moneys in
4 the fund in the same manner as other funds are invested. Any
5 interest and moneys earned on such investments shall be credited
6 to the fund.

7 4. The department shall award grants from the school
8 recognition and reward fund to local educational agencies with
9 eligible schools. The department shall require, as a condition
10 of awarding a grant, that the local educational agency use the
11 grant moneys to reward eligible schools, teachers employed by
12 eligible schools, or both the eligible schools and the teachers.

13 161.1125. Before November 30, 2021, and before November
14 thirtieth of each year thereafter, the department shall report to
15 the joint committee on education on the implementation of
16 sections 161.1080 to 161.1130.

17 161.1130. The department shall promulgate rules to
18 implement the provisions of sections 161.1080 to 161.1130. Any
19 rule or portion of a rule, as that term is defined in section
20 536.010, that is created under the authority delegated in
21 sections 161.1080 to 161.1130 shall become effective only if it
22 complies with and is subject to all of the provisions of chapter
23 536, and, if applicable, section 536.028. Sections 161.1080 to
24 161.1130 and chapter 536 are nonseverable, and if any of the
25 powers vested with the general assembly pursuant to chapter 536
26 to review, to delay the effective date, or to disapprove and
27 annul a rule are subsequently held unconstitutional, then the
28 grant of rulemaking authority and any rule proposed or adopted

1 after August 28, 2019, shall be invalid and void.

2 167.125. 1. (1) For the purposes of this section, the
3 term "attendance center" shall mean a public school building or
4 buildings or part of a school building that constitutes one unit
5 for accountability purposes under the Missouri school improvement
6 program.

7 (2) For any pupil residing in any unincorporated area
8 located in any county of the first classification with more than
9 one hundred one thousand but fewer than one hundred fifteen
10 thousand inhabitants that also borders on any county with a
11 charter form of government and with more than nine hundred fifty
12 thousand inhabitants and any county with a charter form of
13 government and with more than three hundred thousand but fewer
14 than four hundred fifty thousand inhabitants, and for any pupil
15 residing in any village with more than three hundred twenty but
16 fewer than three hundred sixty inhabitants and located in any
17 county of the third classification without a township form of
18 government and with more than twenty-three thousand but fewer
19 than twenty-six thousand inhabitants and with a village with more
20 than two hundred but fewer than two hundred fifty inhabitants as
21 the county seat, and for any pupil residing in an unincorporated
22 area of a county of the third classification without a township
23 form of government and with more than nine thousand but fewer
24 than ten thousand inhabitants and with a city of the fourth
25 classification with more than five hundred fifty but fewer than
26 six hundred fifty inhabitants as the county seat, the
27 commissioner of education or his or her designee shall, upon
28 proper application by the parent or guardian of the pupil, assign

1 the pupil and any sibling of the pupil to another school district
2 if the pupil is eligible as described under subsection 2 of this
3 section and the following conditions are met:

4 (a) The actual driving distance from the pupil's residence
5 to the attendance center in the district of residence is fifteen
6 miles or more by the shortest route available as determined by
7 the commissioner or his or her designee;

8 (b) The attendance center to which the pupil would be
9 assigned in the receiving district is at least five miles closer
10 in actual driving distance by the shortest route available to the
11 pupil's residence than the current attendance center in the
12 district of residence as determined by the commissioner or his or
13 her designee; and

14 (c) The attendance of the pupil will not cause the
15 classroom in the receiving district to exceed the maximum number
16 of pupils per class as determined by the receiving district.

17 2. (1) For pupils applying to the commissioner of
18 education under this section, the commissioner, or his or her
19 designee, shall assign pupils in the order in which applications
20 are received, provided the applications are properly completed
21 and the conditions of subsection 1 of this section are met.

22 (2) Once granted, the hardship assignment shall continue
23 until the pupil, and any sibling of the pupil who attends the
24 same attendance center, completes his or her course of study in
25 the receiving district or the parent or guardian withdraws the
26 pupil. If a parent or guardian withdraws a pupil from a hardship
27 assignment, the granting of a subsequent application is
28 discretionary.

1 (3) A pupil shall be eligible to apply to the commissioner
2 of education to be assigned to another district under this
3 section if the pupil has been enrolled in and attending a public
4 school in his or her district of residence during the school year
5 prior to the application, or if the pupil has applied for
6 enrollment in a public school in his or her district of residence
7 but whose application was denied. Any pupil shall be eligible to
8 apply to the commissioner of education to be assigned to another
9 district under this section if the pupil has been enrolled in and
10 attending a public school in a district other than his or her
11 district of residence and paid nonresident tuition for such
12 enrollment during the school year prior to the application.
13 Pupils who reside in the district who become eligible for
14 kindergarten or first grade shall also be eligible to apply to
15 the commissioner of education to be assigned to another district.

16 (4) A pupil who is not currently enrolled in a public
17 school district shall become eligible to apply to the
18 commissioner of education to be assigned to another district
19 after the pupil has enrolled in and completed a full school year
20 in a public school in his or her district of residence.

21 3. The board of education of the district in which the
22 pupil resides shall pay the tuition of the pupil assigned. The
23 tuition amount shall not exceed the pro rata cost of instruction.
24 However, if the tuition of the receiving district is greater than
25 the tuition of the pupil's district of residence, the pupil's
26 parent or guardian shall pay the difference in tuition.

27 4. A receiving district shall not be required to alter its
28 transportation route to accommodate pupils that are assigned to

1 the receiving district under the provisions of this section.