

FIRST REGULAR SESSION

SENATE BILL NO. 534

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR EIGEL.

Read 1st time March 1, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

2245S.01I

AN ACT

To repeal section 160.570, RSMo, and to enact in lieu thereof one new section relating to student participation in statewide assessments.

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

Section A. Section 160.570, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 160.570, to read as follows:

160.570. 1. Nothing in this section or section 105.1209 shall be construed
2 to affect or limit any state agency's authority regarding professional registration,
3 licensing or issuance of professional certificates, nor shall this section be
4 construed to limit or affect the authority of the state board of education to
5 examine applicants and issue high school equivalency certificates.

6 2. **Beginning in the 2017-2018 academic year**, the school board of
7 each school district shall establish a written policy on student participation in
8 statewide assessments, **including any college entrance tests used as**
9 **statewide assessments in high school, including but not limited to the**
10 **ACT and the National Assessment of Education Progress. Such policy**
11 **shall include acknowledgment of the parent's and emancipated**
12 **student's right to refuse participation in statewide assessments for any**
13 **reason, and shall allow educators to discuss the policy with members**
14 **of the public and refer inquiries to the principal, another**
15 **administrator, or president of the district school board. Such an opt-**
16 **out policy, or any action related to it, may not be used by any state or**
17 **local agency, or any school leader, employee, or school board as the**
18 **basis for any corrective action, penalty, or other consequence against**
19 **the parent, the student, any school leader or employee, or the school.**

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 (1) At least thirty days prior to the administration of the
21 assessments described in this section, a school district or public
22 charter school shall send to parents and adult students a notice that
23 includes:

24 (a) The purpose of the assessments and how the results of the
25 assessments will be used or stored by the designated school agents;

26 (b) The specific days the statewide assessments will be
27 administered;

28 (c) The amount of class time required for the statewide
29 assessments;

30 (d) The academic learning standards to which the assessments
31 are aligned;

32 (e) The process used to determine the difference between good
33 and poor performances on the assessments and how assessment results
34 can be used to identify specific areas of need in academic content;

35 (f) When results of the assessments will be available to students;
36 and

37 (g) Access to the opt-out or refusal form as provided by
38 subsection 3 of this section.

39 (2) Notwithstanding subdivision (1) of this subsection to the
40 contrary, the department of elementary and secondary education may
41 waive the thirty-day notice requirement for a school district or public
42 charter school if a human-created disaster or a natural disaster affects
43 the ability of the school district or public charter school to administer
44 the assessments and shall provide the assessments at a later date.

45 (3) School districts and public charter schools shall provide a
46 supervised study of academic content for students excused from the
47 statewide assessments as provided by this section. The study time shall
48 be considered instructional time for purposes of rules adopted by the
49 state board of education.

50 (4) The results of a statewide assessment shall be provided to
51 students in a timely manner and in a manner that is understandable by
52 the student.

53 3. The policy and opt-out or refusal authorization form shall be
54 provided to each student and the parent, guardian or other person responsible for
55 every student [under eighteen years of age] at the beginning of each school year,
56 and be accessible on the district website, and a copy of the policy shall be

57 maintained in the district office and shall be available for viewing by the public
58 during business hours of the district office. A school board may establish a policy
59 designed to encourage students to give their best efforts on each portion of any
60 statewide assessment established pursuant to section 160.518 which may include
61 but is not limited to incentives or supplementary work as a consequence of
62 performance.

63 [3.] 4. In no case shall the state board of education or any other state
64 agency **mandate student participation in the aforementioned**
65 **assessments or** establish any single test or group of tests as a condition or
66 requirement for high school graduation or as a requirement for a state-approved
67 diploma.

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Bill

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