

Journal of the Senate

FIRST REGULAR SESSION

SIXTY-EIGHTH DAY—WEDNESDAY, MAY 19, 2021

The Senate met pursuant to adjournment.

Senator Rowden in the Chair.

RESOLUTIONS

On behalf of Senator O’Laughlin, Senator Rowden offered Senate Resolution No. 404, regarding Correctional Officer I Alana Winter, Louisiana, which was adopted.

On behalf of Senator O’Laughlin, Senator Rowden offered Senate Resolution No. 405, regarding Correctional Officer I Philip Byram, Bowling Green, which was adopted.

On behalf of Senator O’Laughlin, Senator Rowden offered Senate Resolution No. 406, regarding Correctional Officer II Emily Cartwright, Bowling Green, which was adopted.

On behalf of Senator Schupp, Senator Rowden offered Senate Resolution No. 407, regarding Sri Jaladi, Creve Coeur, which was adopted.

On behalf of Senator Eslinger, Senator Rowden offered Senate Resolution No. 408, regarding Melanie Martin, West Plains, which was adopted.

On behalf of Senator Eslinger, Senator Rowden offered Senate Resolution No. 409, regarding Chris Carstensen, West Plains, which was adopted.

On behalf of Senator Koenig, Senator Rowden offered Senate Resolution No. 410, regarding Alex E. Reifsnyder, St. Louis, which was adopted.

On behalf of Senators Williams and Mosley, Senator Rowden offered Senate Resolution No. 411, regarding Dr. Art McCoy, which was adopted.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR
STATE OF MISSOURI
May 17, 2021

TO THE SECRETARY OF THE SENATE
101st GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Senate Bill No. 189 entitled:

AN ACT

To amend chapter 301, RSMo, by adding thereto one new section relating to a Negro Leagues Baseball Museum special license plate.

On May 17, 2021, I approved Senate Bill No. 189.

Respectfully submitted,
Michael L. Parson
Governor

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has receded from its position on **HA 1** and has again taken up and passed **SS** for **SCS** for **SB 57**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HCS No. 2** for **HB 69** and has taken up and passed **SCS** for **HCS No. 2** for **HB 69**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS**, as amended, for **HB 604** and has taken up and passed **SCS** for **HB 604**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **HB 345** and has taken up and passed **SS** for **HB 345**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS No. 2**, as amended, for **HS** for **HB 297** and has taken up and passed **SS No. 2** for **HS** for **HB 297**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 323** entitled:

An Act to repeal sections 160.263, 160.2700, 160.2705, 161.097, 162.974, 167.263, 167.268, 167.645, 170.029, 170.047, and 171.033, RSMo, and to enact in lieu thereof seventeen new sections relating to

elementary and secondary education.

With House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 to House Amendment No. 2, House Amendment No. 2, as amended, House Amendment Nos. 3, 4, 5, 6, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 2 to House Amendment No. 7, House Amendment No. 3 to House Amendment No. 7, House Amendment No. 7, as amended, and House Amendment No. 8.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 323, Pages 10 to 11, Section 161.097, Lines 1 to 38, by deleting all of said section and lines from the bill; and

Further amend said bill, Pages 12 to 13, Section 167.263, Lines 1 to 28, by deleting all of said section and lines from the bill; and

Further amend said bill, Pages 13 to 14, Section 167.268, Lines 1 to 39, by deleting all of said section and lines from the bill; and

Further amend said bill, Pages 14 to 19, Section 167.645, Lines 1 to 177, by deleting all of said section and lines from the bill; and

Further amend said bill, Pages 25 to 26, Section 186.080, Lines 1 to 44, by deleting all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to House Committee Substitute for Senate Bill No. 323, Page 2, Line 30, by inserting after all of the said line the following:

“Further amend said bill, Pages 5 to 7, Section 160.565, Lines 1 to 68, by deleting all of said section and line; and”; and

Further amend said amendment, Page 4, Lines 47-49 and Page 5, Lines 1-46, Section 161.890, by deleting all of said section and lines and inserting in lieu thereof the following:

“”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO
HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to House Committee Substitute for Senate Bill No. 323, Page 5, Line 46 by inserting after all of the said line the following:

“Further amend said bill, Page 11, Section 161.097, Line 38, by inserting after all of the said section and line the following:

“162.052. 1. The registered voters of a school district may file a petition with the district’s school board asking that an item be placed on a board meeting agenda. If the school board of a school district receives a petition, signed by at least five percent of the registered voters of the school district who voted in the last school board election, calling for an item to be placed on the agenda for the school board, then the school board shall place the requested item on the next meeting’s agenda and shall take a vote on the petitioned item within the next three board meetings. The petition shall include each signer’s printed or typed name, registered voting address, signature, and the date signed. The school district shall verify the petition requirements with the local election authority of the district.

2. The school board shall follow all relevant board policies in regards to the placement of the item on the agenda, time allowed for discussion, testimony allowed, quorum requirements, the process by which a vote is taken, and the required number of votes for approval.

3. The petition shall contain a concise statement of what the school board is being requested to discuss and vote upon. Such statement shall consist of no more than one hundred words. The item requested by the petition shall be presented to the board in its exact form and shall not be modified by the board.

4. A petition to request an item to be placed on the school board’s agenda shall not be submitted for the same item more than once every six months.

5. Items that may be presented to the board by petition shall include, but shall not be limited to:

(1) Implementing, changing, or repealing a board policy;

(2) Modifying or reversing an action by school administration or requesting that certain action be taken by school administration;

(3) Implementing, changing, or discontinuing the use of any curriculum or course of instruction;
or

(4) Modifying the school calendar.

6. The petition process under this section shall not be used to recall board members, change district boundaries, authorize any bonding, impose any additional tax, or for any other purpose that would require an issue be placed on the ballot to be voted upon by residents at an election. However, a petition may be used under this section to request that any of the issues described under this subsection be discussed at an upcoming school board meeting and voted upon by the school board for further consideration by the district’s voters.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 323, Page 5, Section 160.263, Line 148, by inserting after all of the said section and line the following:

“160.560. 1. The department of elementary and secondary education shall establish the “Show Me Success Diploma Program”.

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

3. By July 1, 2022, the department of elementary and secondary education shall develop detailed requirements for students to become eligible for the show me success diploma that include at least the following:

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

(2) Satisfactory grades on approved examinations in subjects determined to be necessary to prepare a student to enter postsecondary education without remedial or developmental course work.

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

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

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

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

8. Pupils who earn a show me success diploma and do not remain enrolled in the district or charter school and instead enroll, or show proof that they will enroll, in a postsecondary educational institution eligible to participate in a student aid program administered by the U.S. Department of Education shall be included in the district’s or charter school’s state aid calculation under section 163.031, until such time that the pupil would have completed the pupil’s twelfth grade year had the

pupil not earned a show me success diploma. The funding assigned to a pupil under this subsection shall be calculated as if the pupil's attendance percentage equaled the district's or charter school's prior year average attendance percentage. For a pupil who, as provided in this subsection, is included in the district's or charter school's state aid calculation but who is not enrolled in the district or charter school, an amount equal to ninety percent of the pupil's proportionate share of the state, local, and federal aid that the district or charter school receives for the pupil under this subsection shall be deposited by the school district or charter school into an account established under sections 166.400 to 166.455 that lists the pupil as the beneficiary. The state treasurer shall provide guidance and assist school districts, charter schools, pupils, and parents or guardians of pupils with the creation, maintenance, and use of an account that has been established under sections 166.400 to 166.455.

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

Further amend said bill, Page 11, Section 161.097, Line 38, by inserting after all of the said section and line the following:

“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.

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

(1) A core mission that competency-based education courses shall help achieve;

(2) A plan that outlines competency-based education courses and key metrics that will show

success;

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

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

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

5. For purposes of this section, the term “competency-based education program” means an educational program that:

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

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

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

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

6. The department of elementary and secondary education shall promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and 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 term of two years and may be reappointed. All task force members shall be appointed before October 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, with one such member from the majority party and one such member from the minority party;

(2) Two members of the senate appointed by the president pro tempore of the senate, with one such member from the majority party and one such member from the minority party;

(3) The commissioner of the department of elementary and secondary education or his or her 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;

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

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

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

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

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

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

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

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

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

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

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

5. The task force shall present its findings and recommendations to the speaker of the house of representatives, the president pro tempore of the senate, the joint committee on education, and the state board of education by December first annually.

161.890. 1. There is hereby established the “School Accountability Board”. Board members shall be appointed as follows:

(1) The commissioner of education shall choose two members from among no more than three individuals from each of the following organizations:

(a) The Missouri association of school administrators;

(b) The Missouri chapter of the national education association;

(c) The Missouri chapter of the Missouri state teachers association;

(d) The Missouri School Board Association; and

(e) The Missouri Charter Public School Association;

(2) The commissioner shall choose one member from among no more than four individuals nominated by the Missouri charter public school commission;

(3) The president pro tempore of the senate shall choose four members at large with demonstrated expertise in education policy and school improvement, none of whom shall be employees of a public school district or the immediate family members of such employees within the first degree of consanguinity or affinity, and two of whom shall be researchers with expertise on the impact of education and economic development;

(4) The speaker of the house of representatives shall choose:

(a) Two members from business and industry with demonstrated commitment to education; and

(b) Two members at large with demonstrated expertise in education policy and school improvement, none of whom shall be employees of a public school district or the immediate family members of such employees within the first degree of consanguinity or affinity.

(5) Members appointed under subdivisions (1) and (2) of this subsection shall serve at the pleasure

of the commissioner of education. Members appointed under subdivision (3) of this subsection shall serve at the pleasure of the president pro tempore of the senate. Members appointed under subdivision (4) of this subsection shall serve at the pleasure of the speaker of the house of representatives.

2. The president pro tempore of the senate shall designate the first chair of the school accountability board, and the speaker of the house of representatives shall designate the first vice chair of the school accountability board. The president pro tempore of the senate and the speaker of the house of representatives will alternate the duty for the designation of the chair and vice chair every two years after the first designation.

3. Staff members of the department of elementary and secondary education shall provide such legal, research, clerical, technical, and bill drafting services as the school accountability board may require in the performance of its duties.

4. The school accountability board shall advise the state board of education and department of elementary and secondary education on matters pertaining to the development and implementation of the state's school improvement program by:

(1) Working with department and state board of education staff to develop all rules and regulations related to school and district accountability and improvement prior to adoption;

(2) Advising the department and state board of education on policies and practices related to school and district accountability and improvement;

(3) Developing and reviewing the results of an annual, department-administered survey of schools and districts receiving technical assistance related to accountability and improvement; and

(4) Presenting findings and recommendations pertaining to school and district accountability and improvement to the state board of education.

5. The school accountability board shall hold its first meeting by January 1, 2022. The school accountability board shall meet at least quarterly and report a summary of its activities and any recommendations for legislation to the state board of education quarterly.”; and

Further amend said bill, Page 12, Section 162.974, Line 11, by inserting after all of said section and line the following:

“162.1255. 1. For purposes of this section, the following terms shall mean:

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

(2) “Prior year average attendance percentage”, the quotient of the district or charter school's prior year average daily attendance divided by the district or charter school's prior year average yearly enrollment.

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

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

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 323, Page 19, Section 167.645, Line 177, by inserting after all of said section and line the following:

“170.018. 1. (1) For purposes of this section, “computer science course” means a course in which students study computers and algorithmic processes, including their principles, hardware and software designs, implementation, and impact on society. **The term shall include, but not be limited to, a stand-alone course at any elementary, middle, or high school or a course at any elementary or middle school that embeds computer science content within other subjects.**

(2) The department of elementary and secondary education shall, before July 1, 2019, develop a high school graduation policy that allows a student to fulfill one unit of academic credit with a district-approved computer science course meeting the standards of subsection 2 of this section for any mathematics, science, or practical arts unit required for high school graduation. The policy shall require that all students have either taken all courses that require end-of-course examinations for math and science or are on track to take all courses that require end-of-course examinations for math and science under the Missouri school improvement program in order to receive credit toward high school graduation under this subsection.

(3) A school district shall communicate to students electing to use a computer science course for a mathematics unit that some institutions of higher education may require four units of academic credit in mathematics for college admission. The parent, guardian, or legal custodian of each student who chooses to take a computer science course to fulfill a unit of academic credit in mathematics shall sign and submit to the school district a document containing a statement acknowledging that taking a computer science course to fulfill a unit of academic credit in mathematics may have an adverse effect on college admission decisions.

(4) The department of elementary and secondary education and the department of higher education and workforce development shall cooperate in developing and implementing academic requirements for computer science courses offered in any grade or grades not lower than the ninth nor higher than the twelfth grade.

2. (1) The department of elementary and secondary education shall convene a work group to develop and recommend rigorous academic performance standards relating to computer science for students in kindergarten and in each grade not higher than the twelfth grade. The work group shall include, but not be limited to, educators providing instruction in kindergarten or in any grade not higher than the twelfth grade and representatives from the department of elementary and secondary education, the department of higher education and workforce development, business and industry, and institutions of higher education. The department of elementary and secondary education shall develop written curriculum frameworks relating to computer science that may be used by school districts. The requirements of section 160.514 shall not apply to this section.

(2) The state board of education shall adopt and implement academic performance standards relating to computer science beginning in the 2019-20 school year.

3. Before July 1, 2019, the department of elementary and secondary education shall develop a procedure by which any teacher who holds a certificate of license to teach under section 168.021 and demonstrates sufficient content knowledge of computer science shall receive a special endorsement on [his or her] **the teacher's** license signifying [his or her] **the teacher's** specialized knowledge in computer science.

4. (1) For purposes of this subsection, “eligible entity” means:

(a) A local educational agency, or a consortium of local educational agencies, in the state, including charter schools that have declared themselves local educational agencies;

(b) An institution of higher education in the state; or

(c) A nonprofit or private provider of nationally recognized and high-quality computer science professional development, as determined by the department of elementary and secondary education.

(2) There is hereby created in the state treasury the “Computer Science Education Fund”. The fund shall consist of all moneys that may be appropriated to it by the general assembly and any gifts, contributions, grants, or bequests received from private or other sources for the purpose of providing teacher professional development programs relating to computer science. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of grants to eligible entities as described in this section. 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. 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.

(3) The state board of education shall award grants from the computer science education fund to eligible entities for the purpose of providing teacher professional development programs relating to computer science. An eligible entity wishing to receive such a grant shall submit an application to the department of elementary and secondary education addressing how the entity plans to:

(a) Reach new and existing teachers with little computer science background;

(b) Use effective practices for professional development;

(c) Focus the training on the conceptual foundations of computer science;

(d) Reach and support historically underrepresented students in computer science;

(e) Provide teachers with concrete experience with hands-on, inquiry-based practices; and

(f) Accommodate the particular needs of students and teachers in each district and school.

5. (1) For all school years beginning on or after July 1, 2022, each public high school and charter high school shall offer at least one computer science course in an in-person setting or as a virtual or distance course option;

(2) Any computer science course or instruction offered under this subsection shall:

(a) Be of high quality as defined by the state board of education;

(b) Meet or exceed the computer science performance standards developed and adopted by the department of elementary and secondary education under this section; and

(c) For any computer science course offered by a public high school or charter high school, the course catalog must be listed as an option in the school's course catalog.

(3) On or before June thirtieth of each school year, each school district shall submit to the department of elementary and secondary education a report for the current school year which shall include, but not be limited to:

(a) The names and course codes of computer science courses offered in each school in the district with a course description and which computer science performance standards are covered, to the extent such information is available;

(b) The number and percentage of students who enrolled in each computer science course, listed by the categories in subparagraphs a. to f. of this paragraph. If a category contains one to five students or contains a quantity of students that would allow the quantity of another category that contains five or fewer to be deduced, the number shall be replaced with a symbol:

a. Sex;

b. Race and ethnicity;

c. Special education status including, but not limited to, students receiving services under the federal Individuals with Disabilities Education Act (IDEA) (20 U.S.C. Section 1400 et seq., as amended) or Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Section 794), as amended;

d. English language learner status;

e. Eligibility for free or reduced price meals; and

f. Grade level; and

(c) The number of computer science instructors at each school, listed by the following categories:

a. Applicable certifications;

b. Sex;

c. Race and ethnicity; and

d. Highest academic degree.

(4) On or before June thirtieth of each school year, the department of elementary and secondary education shall post the following on the department's website:

(a) Data received under paragraphs (a) and (b) of subdivision (3) of this subsection, disaggregated by school and aggregated statewide; and

(b) Data received under paragraph (c) of subdivision (3) of this subsection, aggregated statewide.

(5) On or before June thirtieth of each school year, the department of elementary and secondary education shall publish a list of computer science course codes and names with a course description

and an indication of which courses meet or exceed the department of elementary and secondary education’s computer science performance standards.

6. The department of elementary and secondary education shall appoint a computer science supervisor. The computer science supervisor shall be responsible for implementing the provisions of this section.

7. For all school years beginning on or after July 1, 2022, a computer science course successfully completed and counted toward state graduation requirements shall be equivalent to one science course or one practical arts credit for the purpose of satisfying any admission requirements of any public institution of higher education in this state.

8. The department of elementary and secondary education shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after December 18, 2018, shall be invalid and void.”; and

Further amend said bill, Page 20, Section 170.029, Line 48, by inserting after all of said section and line the following:

“170.036. 1. There is hereby established the “Computer Science Education Task Force”.

2. The task force shall consist of the following members:

(1) Two members of the house of representatives, with one member to be appointed by the speaker of the house of representatives and one member to be appointed by the minority leader of the house of representatives;

(2) Two members of the senate, with one member to be appointed by the president pro tempore of the senate and one member to be appointed by the minority leader of the senate;

(3) The governor or the governor’s designee;

(4) The commissioner of education or the commissioner’s designee;

(5) The commissioner of higher education or the commissioner’s designee; and

(6) Eleven members who represent the interests of each of the following groups, to be appointed by the commissioner of education:

(a) The state board of education;

(b) Private industry in this state with interest in computer science;

(c) Nonprofit organizations;

(d) An association of school superintendents;

(e) An association of school board members

- (f) An association of elementary school principles**
- (g) An association of secondary school principles**
- (h) A representative from a Missouri public higher education institution**
- (i) A representative from a Missouri private, non-profit higher education institution**
- (j) A statewide association representing computer science teachers; and**
- (k) A secondary teacher leader from career and technical education representing computer science teachers.**

3. The mission of the computer science education task force shall be to develop a state strategic plan for expanding a statewide computer science education program, including the following:

(1) A statement of purpose that describes the objectives or goals the state board of education will accomplish by implementing a computer science education program, the strategies by which those goals will be achieved, and a timeline for achieving those goals;

(2) A summary of the current state landscape for K-12 computer science education, including demographic reporting of students taking these courses;

(3) A plan for expanding computer science education opportunities to every school in the state within five years and increasing the representation of students from traditionally underserved groups, in computer science including female students, students from historically underrepresented racial and ethnic groups, students with disabilities, English-language learner students, students who qualify for free and reduced-price meals, and rural students;

(4) A plan provided within one year of the task force forming, for each school serving any of the grades kindergarten through eighth grade to provide instruction in the basics of computer science and computational thinking in an integrated or standalone format by the 2024-25 school year without creating a learning loss in the existing curriculum;

(5) A plan for ensuring teachers are well-prepared to begin teaching computer science, including defining high-quality professional learning for in-service teachers and strategies for pre-service teacher preparation;

(6) An ongoing evaluation process that is overseen by the state board of education;

(7) Proposed rules that incorporate the principles of the master plan into the state's public education system as a whole; and

(8) A plan to ensure long-term sustainability for computer science education.

4. The speaker of the house of representatives shall designate the chair of the task force, and the president pro tempore of the senate shall designate the vice chair of the task force.

5. Members of the task force shall serve without compensation, but the members and any staff assigned to the task force shall receive reimbursement for actual and necessary expenses incurred in attending meetings of the task force or any subcommittee thereof. All task force members shall be subject to the same conflict of interest provisions in chapter 105 that are enforced by the Missouri ethics commission in the same manner that elected or appointed officials and employees are subject

to such provisions.

6. The task force shall hold its first meeting within three months from the effective date of this section.

7. Before June 30, 2022, the task force shall present a summary of its activities and any recommendations for legislation to the general assembly.

8. The computer science education task force shall dissolve on June 30, 2023.”;

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 323, Page 25, Section 171.033, Line 89, by inserting after all of said section and line the following:

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

(1) “Academic skill intake assessment”, a criterion-referenced assessment of numeracy and literacy skills with high reliability and validity as determined by third-party research;

(2) “Accredited”, holding an active accreditation from one of the seven United States regional accreditors including, but not limited to, the Middle States Commission on Higher Education, the New England Association of Schools and Colleges, the Higher Learning Commission, the Northwest Commission on Colleges and Universities, the Southern Association of Colleges and Schools, the Western Association of Schools and Colleges, and the Accrediting Commission for Community and Junior Colleges, as well as any successor entities or consolidations of the above including, but not limited to, AdvancEd or Cognia;

(3) “Adult dropout recovery services”, includes, but is not limited to, sourcing, recruitment, and engagement of eligible students, learning plan development, active teaching, and proactive coaching and mentoring, resulting in an accredited high school diploma;

(4) “Approved program provider”, a public, not-for-profit, or other entity that meets the requirements of subdivision (2) of subsection 3 of this section or any consortium of such entities;

(5) “Average cost per graduate”, the amount of the total program funding reimbursed to a provider divided by the total graduates for a cohort year;

(6) “Career pathways coursework”, one or more courses that align with the skill needs of industries in the economy of the state or region that help an individual enter or advance within a specific occupation or occupational cluster;

(7) “Career placement services”, services designed to assist students in obtaining employment such as career interest self-assessments and job search skills such as resume development and mock interviews;

(8) “Coaching”, proactive communication between the approved program provider and the student related to the student’s pace and progress through the student’s learning plan;

(9) “Department”, the department of elementary and secondary education;

(10) “Employability skills certification”, a certificate earned by demonstrating professional nontechnical skills through assessment, portfolio, or observation;

(11) “Graduate”, a student who has successfully completed all of the state and approved program

provider requirements in order to obtain a high school diploma;

(12) “Graduation rate”, the total number of graduates for the fiscal year divided by all students for the fiscal year for whom the approved program provider has received funding, calculated one fiscal year in arrears;

(13) “Graduation requirements”, course and credit requirements for the approved program provider’s accredited high school diploma;

(14) “High school diploma”, a diploma issued by an accredited institution;

(15) “Industry-recognized credential”, an education-related credential or work-related credential that verifies an individual’s qualification or competence issued by a third party with the relevant authority to issue such credentials;

(16) “Learning plan”, a documented plan for courses or credits needed for each individual in order to complete program and approved program provider graduation requirements;

(17) “Mentoring”, a direct relationship between a coach and a student to facilitate the completion of the student’s learning plan designed to prepare the student to succeed in the program and the student’s future endeavors;

(18) “Milestones”, objective measures of progress for which payment is made to an approved program provider under this section such as earned units of high school credit, attainment of an employability skills certificate, attainment of an industry-recognized credential, attainment of a technical skills assessment, and attainment of an accredited high school diploma;

(19) “Program”, the workforce diploma program established in this section;

(20) “Request for qualifications”, a request for interested potential program providers to submit evidence that they meet the qualifications established in subsection 3 of this section;

(21) “Student”, a participant in the program established in this section who is twenty-one years of age or older, who is a resident of Missouri, and who has not yet earned a high school diploma;

(22) “Technical Skills Assessment”, a criterion-referenced assessment of an individual’s skills required for an entry-level career or additional training in a technical field.

(23) “Transcript evaluation”, a documented summary of credits earned in previous public or private accredited high schools compared with the program and approved program provider graduation requirements;

(24) “Unit of high school credit”, credit awarded based on a student’s demonstration that the student has successfully met the content expectations for the credit area as defined by subject area standards, expectations, or guidelines.

2. There is hereby established the “Workforce Diploma Program” within the department of elementary and secondary education to assist students with obtaining a high school diploma and developing employability and career technical skills. The program may be delivered in campus-based, blended, or online modalities.

3. (1) Before September 1, 2022, and annually thereafter, the department shall issue a request for qualifications for interested program providers to become approved program providers and

participate in the program.

(2) Each approved program provider shall meet all of the following qualifications:

- (a) Be an accredited high school diploma-granting entity;**
- (b) Have a minimum of two years of experience providing adult dropout recovery services;**
- (c) Provide academic skill intake assessments and transcript evaluations to each student. Such academic skill intake assessments may be administered in person or online;**
- (d) Develop a learning plan for each student that integrates graduation requirements and career goals;**
- (e) Provide a course catalog that includes all courses necessary to meet graduation requirements;**
- (f) Offer remediation opportunities in literacy and numeracy, as applicable;**
- (g) Offer employability skills certification or technical skills assessments, as applicable;**
- (h) Offer career pathways course work, as applicable;**
- (i) Offer preparation for industry-recognized credentials as applicable; and**
- (j) Offer career placement services, as applicable.**

(3) Upon confirmation by the department that an interested program provider meets all of the qualifications listed in subdivision (2) of this subsection, an interested program provider shall become an approved program provider.

4. (1) The department shall announce the approved program providers before October sixteenth annually, with authorization for the approved program providers to begin enrolling students before November fifteenth annually.

(2) Approved program providers shall maintain approval without reapplying annually if the approved program provider has not been removed from the approved program provider list under this section.

5. All approved providers shall comply with requirements as provided by the department to ensure:

- (1) An accurate accounting of a student's accumulated credits toward a high school diploma;**
- (2) An accurate accounting of credits necessary to complete a high school diploma; and**
- (3) The provision of course work aligned to the academic performance standards of the state.**

6. (1) Except as provided in subdivision (2) of this subsection, the department shall pay approved program providers for the following milestones provided by the approved program provider:

- (a) Two hundred fifty dollars for the completion of each half unit of high school credit;**
- (b) Two hundred fifty dollars for attaining an employability skills certification;**
- (c) Two hundred fifty dollars for attaining an industry-recognized credential or technical skills assessment requiring no more than fifty hours of training;**

(d) Five hundred dollars for attaining an industry-recognized credential requiring at least fifty-one but no more than one hundred hours of training;

(e) Seven hundred fifty dollars for attaining an industry-recognized credential requiring more than one hundred hours of training; and

(f) One thousand dollars for attaining an accredited high school diploma.

(2) No approved program provider shall receive funding for a student under this section if the approved program provider receives federal or state funding or private tuition for that student. No approved program provider shall charge student fees of any kind including, but not limited to, textbook fees, tuition fees, lab fees, or participation fees unless the student chooses to obtain additional education offered by the program provider that is not included in the state-funded program.

(3) Payments made under this subsection shall be subject to an appropriation made to the department for such purposes.

7. (1) Approved program providers shall submit monthly invoices to the department before the eleventh calendar day of each month for milestones met in the previous calendar month.

(2) The department shall pay approved program providers in the order in which invoices are submitted until all available funds are exhausted.

(3) The department shall provide a written update to approved program providers by the last calendar day of each month. The update shall include the aggregate total dollars that have been paid to approved program providers to date and the estimated number of enrollments still available for the program year.

8. Before July sixteenth of each year, each provider shall report the following metrics to the department:

(1) The total number of students who have been funded through the program;

(2) The total number of credits earned;

(3) The total number of employability skills certifications issued;

(4) The total number of industry-recognized credentials or technical skills assessments earned for each tier of funding; and

(5) The total number of graduates.

9. (1) Before September sixteenth of each year, an approved eligible program provider shall conduct and submit to the department the aggregate results of a survey of individuals who graduated from the program of the approved eligible program provider under this section. The survey shall be conducted in the year after the year in which the individuals graduate and the next four consecutive years.

(2) The survey shall include at least the following data collection elements for each year the survey is conducted:

(a) The individual's employment status, including whether the individual is employed full-time or part-time;

(b) The individual’s hourly wages;

(c) The individual’s access to employer-sponsored healthcare; and

(d) The individual’s postsecondary enrollment status, including whether the individual has completed a postsecondary certificate or degree program.

10. (1) Upon the end of the second fiscal year of the program, the department shall review data from each approved program provider to ensure that each is achieving minimum program performance standards including, but not limited to:

(a) A minimum of a fifty percent graduation rate;

(b) An average cost per graduate of seven thousand dollars or less.

(2) Any approved program provider that fails to meet the minimum program performance standards described in subdivision (1) of this subsection shall be placed on probationary status for the remainder of the fiscal year by the department.

(3) Any approved program provider that fails to meet the minimum program performance standards described in subdivision (1) of this subsection for two consecutive years shall be removed from the approved provider list by the department.

11. (1) No approved program provider shall discriminate against a student on the basis of race, color, religion, national origin, ancestry, sex, sexuality, gender, or age.

(2) If an approved program provider determines that a student would be better served by participating in a different program, the approved provider may refer the student to the state’s adult basic education services.

12. (1) There is hereby created in the state treasury the “Workforce Diploma Program Fund”, which shall consist of any grants, gifts, donations, bequests, or moneys appropriated under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely as provided in 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.

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

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 323, Page 12, Section 162.686, Line 14, by inserting after all of said section and line the following:

“162.720. 1. **(1) This subdivision shall apply to all school years ending on or before June 30, 2023.** Where a sufficient number of children are determined to be gifted and their development requires programs or services beyond the level of those ordinarily provided in regular public school programs, districts may establish special programs for such gifted children.

(2) For all school years beginning on or after July 1, 2023, if three percent or more of students enrolled in a school district are determined to be gifted and their development requires programs or services beyond the level of those ordinarily provided in regular public school programs, the district shall establish a state-approved gifted program for gifted children.

2. For all school years beginning on or after July 1, 2023, any teacher providing gifted services to students in districts with an average daily attendance of more than three hundred fifty students shall be certificated in gifted education. In districts with an average daily attendance of three hundred fifty students or fewer, any teacher providing gifted services shall not be required to be certificated to teach gifted education but such teacher shall annually participate in at least six clock hours of professional development paid for by the school district focused on gifted services.

3. The state board of education shall determine standards for such gifted programs and gifted services. Approval of [such] gifted programs shall be made by the state department of elementary and secondary education based upon project applications submitted [by July fifteenth of each year] at a time and in a form determined by the department of elementary and secondary education.

[3.] **4. No district shall make a determination as to whether a child is gifted based on the child’s participation in an advanced placement course or international baccalaureate course. Districts shall determine a child is gifted only if the child meets the definition of gifted children as provided in section 162.675.**

[4.] **5. Any district with a gifted education program approved under subsection [2] 3 of this section shall have a policy, approved by the board of education of the district, that establishes a process that outlines the procedures and conditions under which parents or guardians may request a review of the decision that determined that their child did not qualify to receive services through the district’s gifted education program.**

[5.] **6. School districts and school district employees shall be immune from liability for any and all acts or omissions relating to the decision that a child did not qualify to receive services through the district’s gifted education program.**

7. The department of elementary and secondary education may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2021, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 323, Page 5, Section 160.263, Line 148, by inserting after all of said section the following:

“160.545. 1. There is hereby established within the department of elementary and secondary education the “A+ Schools Program” to be administered by the commissioner of education. The program shall consist of grant awards made to public secondary schools that demonstrate a commitment to ensure that:

(1) All students be graduated from school;

(2) All students complete a selection of high school studies that is challenging and for which there are identified learning expectations; and

(3) All students:

(a) Earn credits toward any type of college degree while in high school; or

(b) Proceed from high school graduation to a college or postsecondary vocational or technical school or high-wage job with work place skill development opportunities.

2. The state board of education shall promulgate rules and regulations for the approval of grants made under the program to schools that:

(1) Establish measurable districtwide performance standards for the goals of the program outlined in subsection 1 of this section; and

(2) Specify the knowledge, skills and competencies, in measurable terms, that students must demonstrate to successfully complete any individual course offered by the school, and any course of studies [which] **that** will qualify a student for graduation from the school; and

(3) Do not offer a general track of courses that, upon completion, can lead to a high school diploma; and

(4) Require rigorous coursework with standards of competency in basic academic subjects for students pursuing vocational and technical education as prescribed by rule and regulation of the state board of education; and

(5) Have a partnership plan developed in cooperation and with the advice of local business persons, labor leaders, parents, and representatives of college and postsecondary vocational and technical school representatives, with the plan then approved by the local board of education. The plan shall specify a mechanism to receive information on an annual basis from those who developed the plan in addition to senior citizens, community leaders, and teachers to update the plan in order to best meet the goals of the program as provided in subsection 1 of this section. Further, the plan shall detail the procedures used in the school to identify students that may drop out of school and the intervention services to be used to meet the needs of such students. The plan shall outline counseling and mentoring services provided to students who will enter the work force upon graduation from high school, address apprenticeship and intern programs, and shall contain procedures for the recruitment of volunteers from the community of the school to serve in schools receiving program grants.

3. Any nonpublic school in this state may apply to the state board of education for certification that it meets the requirements of this section subject to the same criteria as public high schools. Every nonpublic

school that applies and has met the requirements of this section shall have its students eligible for reimbursement of postsecondary education under subsection 8 of this section on an equal basis to students who graduate from public schools that meet the requirements of this section. Any nonpublic school that applies shall not be eligible for any grants under this section. Students of certified nonpublic schools shall be eligible for reimbursement of postsecondary education under subsection 8 of this section so long as they meet the other requirements of such subsection. For purposes of subdivision (5) of subsection 2 of this section, the nonpublic school shall be included in the partnership plan developed by the public school district in which the nonpublic school is located. For purposes of subdivision (1) of subsection 2 of this section, the nonpublic school shall establish measurable performance standards for the goals of the program for every school and grade level over which the nonpublic school maintains control.

4. A school district may participate in the program irrespective of its accreditation classification by the state board of education, provided it meets all other requirements.

5. By rule and regulation, the state board of education may determine a local school district variable fund match requirement in order for a school or schools in the district to receive a grant under the program. However, no school in any district shall receive a grant under the program unless the district designates a salaried employee to serve as the program coordinator, with the district assuming a minimum of one-half the cost of the salary and other benefits provided to the coordinator. Further, no school in any district shall receive a grant under the program unless the district makes available facilities and services for adult literacy training as specified by rule of the state board of education.

6. For any school that meets the requirements for the approval of the grants authorized by this section and specified in subsection 2 of this section for three successive school years, by August first following the third such school year, the commissioner of education shall present a plan to the superintendent of the school district in which such school is located for the waiver of rules and regulations to promote flexibility in the operations of the school and to enhance and encourage efficiency in the delivery of instructional services in the school. The provisions of other law to the contrary notwithstanding, the plan presented to the superintendent shall provide a summary waiver, with no conditions, for the pupil testing requirements pursuant to section 160.257 in the school. Further, the provisions of other law to the contrary notwithstanding, the plan shall detail a means for the waiver of requirements otherwise imposed on the school related to the authority of the state board of education to classify school districts pursuant to subdivision (9) of section 161.092 and such other rules and regulations as determined by the commissioner of education, except such waivers shall be confined to the school and not other schools in the school district unless such other schools meet the requirements of this subsection. However, any waiver provided to any school as outlined in this subsection shall be void on June thirtieth of any school year in which the school fails to meet the requirements for the approval of the grants authorized by this section as specified in subsection 2 of this section.

7. For any school year, grants authorized by subsections 1, 2, and 5 of this section shall be funded with the amount appropriated for this program, less those funds necessary to reimburse eligible students pursuant to subsection 8 or 9 of this section.

8. The department of higher education and workforce development shall, by rule, establish a procedure for the reimbursement of the cost of tuition, books and fees to any public community college or vocational or technical school or within the limits established in subsection 11 of this section for any two-year private vocational or technical school for any student:

(1) Who has attended a high school in the state for at least two years that meets the requirements of subsection 2 of this section and who has graduated from such a school; except that, students who are active duty military dependents, and students who are dependents of retired military who relocate to Missouri within one year of the date of the parent's retirement from active duty who meet all other requirements of this subsection and are attending a school that meets the requirements of subsection 2 of this section shall be exempt from the two-year attendance requirement of this subdivision; and

(2) Who has made a good faith effort to first secure all available federal sources of funding that could be applied to the reimbursement described in this subsection; and

(3) Who has earned a minimal grade average while in high school or through the semester immediately before taking the course for which reimbursement is sought as determined by rule of the department of higher education and workforce development, and other requirements for the reimbursement authorized by this subsection as determined by rule and regulation of the department. **When determining whether a student has earned a minimal grade average in the 2019-20 or 2020-21 school years for purposes of this subdivision, the department shall apply the student's highest available high school grade average so that the student is not adversely affected by any negative change in the student's academic performance directly caused by the coronavirus named SARS-CoV-2, the international outbreak of respiratory disease named "coronavirus disease 2019" and abbreviated as "COVID-19", or any changes in methods of instruction implemented by the student's school district because of COVID-19. Any rule establishing a requirement that a student obtain a certain algebra end-of-course examination score or other applicable standardized test score, as determined by the department, shall not apply to a high school senior graduating in the 2020-21 school year;** and

(4) Who is a citizen or permanent resident of the United States.

9. The department of higher education and workforce development shall, by rule, establish a procedure for the reimbursement of the cost of tuition, and fees for any dual-credit or dual-enrollment course offered to a student in high school in association with an institution of higher education or vocational or technical school, subject to the requirements of subsection 11 of this section, for any student who meets the requirements established in subsection 8 of this section immediately before taking the course for which reimbursement is sought.

10. The commissioner of education shall develop a procedure for evaluating the effectiveness of the program described in this section. Such evaluation shall be conducted annually with the results of the evaluation provided to the governor, speaker of the house, and president pro tempore of the senate.

11. For a two-year private vocational or technical school to obtain reimbursements under subsection 8 or 9 of this section, the following requirements shall be satisfied:

(1) Such two-year private vocational or technical school shall be a member of the North Central Association and be accredited by the Higher Learning Commission as of July 1, 2008, and maintain such accreditation;

(2) Such two-year private vocational or technical school shall be designated as a 501(c)(3) nonprofit organization under the Internal Revenue Code of 1986, as amended;

(3) No two-year private vocational or technical school shall receive tuition reimbursements in excess of the tuition rate charged by a public community college for course work offered by the private vocational or technical school within the service area of such college; and

(4) The reimbursements provided to any two-year private vocational or technical school shall not violate the provisions of Article IX, Section 8, or Article I, Section 7, of the Missouri Constitution or the first amendment of the United States Constitution.

12. The department of higher education and workforce development shall distribute reimbursements in the following manner:

(1) To community college or vocational or technical school students;

(2) After all students from subdivision (1) of this subsection have been reimbursed, to any dual-credit or dual-enrollment student on the basis of financial need.”; and

Further amend said bill, Page 26, Section 186.080, Line 44, by inserting after all of said section and line the following;

“Section B. Because immediate action is necessary to protect students from adverse impacts to student success in educational and career endeavors caused by COVID-19 and related disruptions in school routines, the repeal and reenactment of section 160.545 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 160.545 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 7

Amend House Amendment No. 7 to House Committee Substitute for Senate Bill No. 323, Page 1, Line 1 by inserting after the phrase “No. 323,” the following:

“Page 9, Section 160.3005, Line 6, by deleting the phrase “**at two hour intervals**” and inserting in lieu thereof the phrase “**at intervals agreed upon by the district and the individual**”; and

Further amend said bill,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO
HOUSE AMENDMENT NO. 7

Amend House Amendment No. 7 to House Committee Substitute for Senate Bill No. 323, Page 1, Line 4 by deleting all of the said line and inserting in lieu thereof the following:

“**161.214. 1. As used in this section, the following terms mean:**

(1) “**Board**”, the state board of education;

(2) “**Department**”, the department of elementary and secondary education;

(3) “**School innovation team**”, a group of natural persons representing:

(a) A single elementary or secondary school;

(b) A group of two or more elementary or secondary schools within the same school district that share common interests, such as geographical location or educational focus, or that sequentially serve

classes of students as they progress through elementary and secondary education;

(c) A group of two or more elementary or secondary schools not within the same school district that share common interests, such as geographical location or educational focus, or that sequentially serve classes of students as they progress through elementary and secondary education;

(d) A single school district; or

(e) A group of two or more school districts that share common interests, such as geographical location or educational focus, or that sequentially serve classes of students as they progress through elementary and secondary education;

(4) “School innovation waiver”, a waiver granted by the board to a single school, group of schools, single school district, or group of school districts under this section, in which the school, group of schools, school district, or group of school districts is exempt from a specific requirement imposed by chapter 160, 161, 162, 167, 170, or 171, or any regulations promulgated under such chapters by the board or the department. Any school innovation waiver granted to a school district or group of school districts shall apply to every elementary and secondary school within the school district or group of school districts unless the plan specifically provides otherwise.

2. Any school innovation team seeking a school innovation waiver may submit a plan to the board for one or more of the following purposes:

(1) Improving student readiness for employment, higher education, vocational training, technical training, or any other form of career and job training;

(2) Increasing the compensation of teachers; or

(3) Improving the recruitment, retention, training, preparation, or professional development of teachers.

3. Any plan for a school innovation waiver shall:

(1) Identify the specific provision of law for which a waiver is being requested and provide an explanation for why the specific provision of law inhibits the ability of the school or school district to accomplish the goal stated in the plan;

(2) Demonstrate that the intent of the specific provision of law can be addressed in a more effective, efficient, or economical manner and that the waiver or modification is necessary to implement the plan;

(3) Include measurable annual performance targets and goals for the implementation of the plan;

(4) Specify the innovations to be pursued in meeting one or more of the goals listed in subsection 2 of this section;

(5) Demonstrate parental, school employee, and community and business support for, and engagement with, the plan; and

(6) Be approved by at least the minimum number of people required to be on the school innovation team prior to submitting the plan for approval.

4. (1) In evaluating a plan submitted by a school innovation team under subsection 2 of this

section, the board shall consider whether the plan will:

- (a) Improve the preparation, counseling, and overall readiness of students for postsecondary life;
- (b) Increase teacher salaries in a financially sustainable and prudent manner; or
- (c) Increase the attractiveness of the teaching profession for prospective teachers and active teachers alike.

(2) The board may approve any plan submitted under subsection 2 of this section if the board determines that:

(a) The plan successfully demonstrates the ability to address the intent of the provision of law to be waived in a more effective, efficient, or economical manner;

(b) The waivers or modifications are demonstrated to be necessary to stimulate or improve student readiness for postsecondary life, increase teacher salaries, or increase the attractiveness of the teaching profession for prospective teachers and active teachers;

(c) The plan has demonstrated sufficient participation from among the teachers, principal, superintendent, faculty, school board, parents, and the community at large; and

(d) The plan is based upon sound educational practices, does not endanger the health and safety of students or staff, and does not compromise equal opportunity for learning.

(3) The board may propose modifications to the plan in cooperation with the school innovation team.

5. Any waiver granted under this section shall be effective for a period of no longer than three school years beginning the school year following the school year in which the waiver is approved. Any waiver may be renewed. No more than one school innovation waiver shall be in effect with respect to any one elementary or secondary school at one time.

6. This section shall not be construed to allow the board to authorize the waiver of any statutory requirements relating to school start date, teacher certification, teacher tenure, or any requirement imposed by federal law.

7. The board may promulgate rules implementing the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2021, shall be invalid and void.

161.217. 1. The department of elementary and secondary education, in collaboration with"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3 TO
HOUSE AMENDMENT NO. 7

Amend House Amendment No. 7 to House Committee Substitute for Senate Bill No. 323, Page 1, Line 32 by inserting after all the said line the following:

“Further amend said bill, Page 19, Section 167.645, Line 177, by inserting after all of said section and line the following:

“168.036. 1. In addition to granting certificates of license to teach in public schools of the state as provided in section 168.021, the state board of education shall grant substitute teacher certificates as provided in this section to any individual seeking to substitute teach in any public school in this state.

2. (1) The state board shall not grant a certificate of license to teach under this section to any individual who has not completed a background check as described in section 168.133.

(2) A background check conducted under this subsection shall be valid for four years for purposes of the certificate granted under this section and shall be transferrable from one school district to another district except as provided in subdivision (3) of this subsection.

(3) A school district employing a substitute teacher who has a certificate granted under this section may require the teacher to complete the background check annually. A school district may require the background check required in this section for a newly hired substitute teacher to be conducted at the teacher’s expense.

(4) The state board may refuse to issue or renew, suspend, or revoke any certificate sought or issued under this section in the same manner and for the same reasons as provided in section 168.071.

3. The state board may grant a certificate under this section to any individual who has completed the background check required in this section and who has completed:

(1) At least thirty-six semester hours at an accredited institution of higher education and the orientation required in subsection 6 of this section; or

(2) The twenty-hour online training program required in this section and who possesses a high school diploma or the equivalent thereof.

4. The state board may grant a certificate under this section to any highly qualified individual with expertise in a technical or business field or with experience in the Armed Forces of the United States who has completed the background check required in this section but does not meet any of the qualifications in subdivision (1) or (2) of subsection 3 of this section if the superintendent of the school district sponsors such individual and the school board of the school district in which the individual seeks to substitute teach votes to approve such individual to substitute teach.

5. (1) An individual to whom the state board grants a certificate under this section may be a substitute teacher in any public school in the state if a school district superintendent, school district assistant superintendent, or public school principal in this state agrees to employ the individual as a substitute teacher.

(2) No individual to whom the state board grants a certificate under this section and who is under twenty years of age shall be a substitute teacher in grades nine to twelve.

6. An individual to whom the state board grants a certificate under this section shall complete an orientation developed and offered by the school district for which the individual originally teaches. The orientation for such individual shall contain at least two hours of subjects appropriate for substitute teachers and shall contain instruction on the school district’s best practices for classroom management. Such orientation completed in any school district may be accepted by any subsequent

district in which the individual substitute teaches. A subsequent school district may require the individual to complete a separate and distinct local orientation for the particular school district before the individual may substitute teach in the subsequent school district.

7. A certificate granted under this section shall be valid for four years. A certificate granted under this section shall expire at the end of any calendar year in which the individual fails to substitute teach for at least five days or forty hours of in-seat instruction.

8. The department of elementary and secondary education shall develop an online training program for individuals granted a certificate under subdivision (2) of subsection 3 of this section. The training program shall consist of twenty hours of training related to subjects appropriate for substitute teachers as determined by the department. A substitute teacher shall complete an orientation for substitute teachers provided by the school district in which the substitute teacher teaches.

9. Any individual possessing a valid certificate of license to teach granted by the state board shall be deemed to be a substitute teacher under this section if the individual has completed a background check as required in this section.

10. The state board may exercise the board's authority as provided in chapter 161 to promulgate all necessary rules and regulations necessary for the administration of this section.”; and “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 323, Page 11, Section 161.097, Line 38, by inserting after all of the said section and line the following:

“161.217. 1. The department of elementary and secondary education, in collaboration with the Missouri Head Start State Collaboration Office and the departments of health and senior services, mental health, and social services, shall develop[, as a three-year pilot program,] a voluntary early learning quality assurance report. The early learning quality assurance report shall be developed based on evidence-based practices.

2. Participation in the early learning quality assurance report [pilot] program shall be voluntary for any licensed or license-exempt early learning providers that are center-based or home-based and are providing services for children from any ages from birth up to kindergarten.

3. The early learning quality assurance report may include, but is not limited to, information regarding staff qualifications, instructional quality, professional development, health and safety standards, parent engagement, and community engagement.

4. The early learning quality assurance report shall not be used for enforcement of compliance with any law or for any punitive purposes.

5. The department of elementary and secondary education shall promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly

pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

6. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset [three years after August 28, 2019] **four years after August 28, 2021**, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset [three years] **four years** after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Bill No. 323, Page 1, Section A, Line 5, by inserting after all of said line the following:

“9.308. The first full week in February is hereby designated as “School Counseling Week” in the state of Missouri. Citizens of this state are encouraged to participate in appropriate events and activities that recognize the important work of school counselors in helping Missouri’s students succeed in school and beyond.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency Clause Adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SS** for **SCS** for **SBs 153** and **97**, as amended, and has taken up and passed **CCS** for **HCS** for **SS** for **SCS** for **SBs 153** and **97**.

Emergency Clause Adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 126**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HS** for **HCS** for **SCS** for **SB 520**, as amended, and has taken up and passed **CCS** for **HS** for **HCS** for **SCS** for **SB 520**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SB 86**, and has taken up and passed **CCS** for **SB 86**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 303**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 303**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report No. 2 on **HCS** for **SS No. 2** for **SB 26**, as amended, and has taken up and passed **CCS No. 2** for **HCS** for **SS No. 2** for **SB 26**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **CCS** for **HCS** for **SB 72**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS No. 2** for **HB 661**.

Emergency Clause Defeated.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 36**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 5**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 226**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 226**.

Emergency Clause Adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **SCS** for **HCS** for **HBs 85** and **310** and has taken up and passed **SS** for **SCS** for **HCS** for **HBs 85** and **310**.

Emergency Clause Adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS No. 2** for **SCS** for **SBs 51** and **42**.

Bill ordered enrolled.

On motion of Senator Rowden, the Senate adjourned until 10:00 a.m., Tuesday, May 25, 2021.

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