

SECOND REGULAR SESSION

# SENATE BILL NO. 1009

## 101ST GENERAL ASSEMBLY

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INTRODUCED BY SENATOR O'LAUGHLIN.

4660S.01I

ADRIANE D. CROUSE, Secretary

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### AN ACT

To amend chapter 161, RSMo, by adding thereto one new section relating to school innovation waivers.

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

Section A. Chapter 161, RSMo, is amended by adding thereto  
2 one new section, to be known as section 161.214, to read as  
3 follows:

161.214. 1. For purposes of this section, the  
2 following terms shall mean:

3 (1) "Board", the state board of education;

4 (2) "Department", the department of elementary and  
5 secondary education;

6 (3) "School innovation team", a group of natural  
7 persons representing:

8 (a) A single elementary or secondary school;

9 (b) A group of two or more elementary or secondary  
10 schools within the same school district that share common  
11 interests, such as geographical location or educational  
12 focus, or that sequentially serve classes of students as  
13 they progress through elementary and secondary education;

14 (c) A group of two or more elementary or secondary  
15 schools not within the same school district that share  
16 common interests, such as geographical location or  
17 educational focus, or that sequentially serve classes of

18 students as they progress through elementary and secondary  
19 education;

20 (d) A single school district; or

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

26 (4) "School innovation waiver", a waiver granted by  
27 the board to a single school, group of schools, single  
28 school district, or group of school districts pursuant to  
29 this section, in which the school, group of schools, school  
30 district, or group of school districts is exempt from a  
31 specific requirement imposed by chapter 160, chapter 161,  
32 chapter 162, chapter 167, chapter 170, or chapter 171, or  
33 any regulations promulgated thereunder by the board or the  
34 department. Any school innovation waiver granted to a  
35 school district or group of school districts shall be  
36 applicable to every elementary and secondary school within  
37 the school district or group of school districts unless the  
38 plan specifically provides otherwise.

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

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

45 (2) Increasing the compensation of teachers; or

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

48 3. Any plan for a school innovation waiver shall:

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

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

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

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

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

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

69                 4. (1) In evaluating a plan submitted by a school  
70 innovation team under subsection 2 of this section, the  
71 board shall consider whether the plan will:

72                     (a) Improve the preparation, counseling, and overall  
73 readiness of students for postsecondary life;

74                     (b) Increase teacher salaries in a financially  
75 sustainable and prudent manner; or

76                     (c) Increase the attractiveness of the teaching  
77 profession for prospective teachers and active teachers  
78 alike.

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

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

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

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

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

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

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

106                 6. This section shall not be construed to allow the  
107 state board of education to authorize the waiver of any  
108 statutory requirements relating to teacher certification,  
109 teacher tenure, or any requirement imposed by federal law.

110                 7. The board may promulgate rules implementing the  
111 provisions of this section. Any rule or portion of a rule,  
112 as that term is defined in section 536.010, that is created

113 under the authority delegated in this section shall become  
114 effective only if it complies with and is subject to all of  
115 the provisions of chapter 536 and, if applicable, section  
116 536.028. This section and chapter 536 are nonseverable and  
117 if any of the powers vested with the general assembly  
118 pursuant to chapter 536 to review, to delay the effective  
119 date, or to disapprove and annul a rule are subsequently  
120 held unconstitutional, then the grant of rulemaking  
121 authority and any rule proposed or adopted after August 28,  
122 2022, shall be invalid and void.

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