

SECOND REGULAR SESSION

HOUSE BILL NO. 2420

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SPENCER.

5995H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 161.122, RSMo, and to enact in lieu thereof one new section relating to the duties of the commissioner of education.

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

Section A. Section 161.122, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 161.122, to read as follows:

161.122. **1.** The commissioner of education shall supervise the department of elementary and secondary education. Either in person or by deputy, he or she shall confer with and advise county and school district officers, teachers, and patrons of the public schools on all matters pertaining to the school law; visit and supervise schools, and make suggestions in regard to the subject matter and methods of instruction, the control and government of the schools, and the care and keeping of all school property; attend and assist in meetings of teachers, directors, and patrons of the public schools; and [seek in every way] **support local school boards** to elevate the standards and efficiency of the instruction given in the public schools of the state.

2. The commissioner shall study [and evaluate and test the progress, or lack thereof, in achieving these objectives], **interpret, develop, and distribute to the public a written report of student test performance**, and shall promptly make public by free electronic media the results of all studies and evaluations and tests insofar as consistent with student or parental privacy rights contained in [federal or] state law.

3. Prior to awarding contracts with vendors for the purchase of materials or services exceeding fifty thousand dollars, the commissioner shall present the evaluation rubric and bids of the three highest-ranking proposals to the chair of the joint committee

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 on education for review and comment. The joint committee on education shall have veto
18 authority over the commissioner's proposal.

19 4. When testifying at hearings before legislative committees, the commissioner or
20 any department staff shall provide accurate and documented information to the committee
21 and fully disclose the communications of the commissioner, members of the state board of
22 education, and employees of the department of elementary and secondary education and
23 department of higher education pertinent to a specific piece of legislation with other
24 departments, nongovernmental organizations, or persons that submit testimony. Failure
25 to comply with this subsection shall result in immediate termination of the commissioner.

26 5. The commissioner shall establish a procedure to allow the state board of
27 education to regularly receive advice and counsel from professional educators at all levels
28 in the state, district boards of education, parents, representatives from business and
29 industry, the general assembly, and labor and community leaders whenever the state board
30 of education develops, evaluates, modifies, or revises academic performance standards,
31 learning standards, or the statewide assessment system under sections 160.514 and 160.518.
32 The procedure shall include, at a minimum, the appointment of ad hoc committees.

33 6. Within six months prior to implementation of or modification or revision to the
34 statewide assessment system, the commissioner of education shall inform the president pro
35 tempore of the senate and the speaker of the house of representatives about the procedures
36 to implement, modify, or revise the statewide assessment system, including a report of the
37 reliability and validity of the assessment instruments. The general assembly may, within
38 sixty legislative days of receiving such information from the commissioner, veto such
39 implementation, modification, or revision by concurrent resolution adopted by majority
40 vote of both the senate and the house of representatives.

41 7. The commissioner of education shall not, within two years of termination of
42 employment as the commissioner, be employed by vendors, nongovernmental organizations
43 of which he or she is a member, or other contractors to the department of elementary and
44 secondary education.

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