

SENATE BILL NO. 33

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR ARTHUR.

0824S.03I

ADRIANE D. CROUSE, Secretary

AN ACT

To amend chapters 161 and 162, RSMo, by adding thereto three new sections relating to competency-based education in elementary and secondary schools.

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

Section A. Chapters 161 and 162, RSMo, are amended by
2 adding thereto three new sections, to be known as sections
3 161.380, 161.385, and 162.1255, to read as follows:

161.380. 1. Subject to appropriations, the department
2 of elementary and secondary education shall establish the
3 "Competency-Based Education Grant Program".

4 2. (1) There is hereby created in the state treasury
5 the "Competency-Based Education Grant Program Fund". The
6 fund shall consist of any appropriations to such fund and
7 any gifts, contributions, grants, or bequests received from
8 private or other sources for the purpose of providing
9 competency-based education programs. The state treasurer
10 shall be custodian of the fund. In accordance with sections
11 30.170 and 30.180, the state treasurer may approve
12 disbursements of public moneys in accordance with
13 distribution requirements and procedures developed by the
14 department of elementary and secondary education. The fund
15 shall be a dedicated fund and, upon appropriation, moneys in
16 the fund shall be used solely for the administration of this
17 section.

18 (2) Notwithstanding the provisions of section 33.080
19 to the contrary, any moneys remaining in the fund at the end
20 of the biennium shall not revert to the credit of the
21 general revenue fund.

22 (3) The state treasurer shall invest moneys in the
23 fund in the same manner as other funds are invested. Any
24 interest and moneys earned on such investments shall be
25 credited to the fund.

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

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

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

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

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

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

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

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

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

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

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

62 6. The department of elementary and secondary
63 education shall promulgate all necessary rules and
64 regulations for the administration of this section. Any
65 rule or portion of a rule, as that term is defined in
66 section 536.010, that is created under the authority
67 delegated in this section shall become effective only if it
68 complies with and is subject to all of the provisions of
69 chapter 536 and, if applicable, section 536.028. This
70 section and chapter 536 are nonseverable and if any of the
71 powers vested with the general assembly pursuant to chapter
72 536 to review, to delay the effective date, or to disapprove
73 and annul a rule are subsequently held unconstitutional,
74 then the grant of rulemaking authority and any rule proposed
75 or adopted after August 28, 2021, shall be invalid and void.

 161.385. 1. There is hereby established the
2 "Competency-Based Education Task Force" to study and develop
3 competency-based education programs in public schools. Task
4 force members shall be chosen to represent the geographic
5 diversity of the state. Task force members shall be

6 appointed for a term of two years and may be reappointed.
7 All task force members shall be appointed before December
8 31, 2021, and every other year thereafter by December thirty-
9 first of that year. The task force members shall be
10 appointed as follows:

11 (1) Two members of the house of representatives
12 appointed by the speaker of the house of representatives;

13 (2) Two members of the senate appointed by the
14 president pro tempore of the senate;

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

17 (4) Four members appointed by the governor. Two
18 members shall each represent a separate school district that
19 offer competency-based education courses.

20 2. The members of the task force established under
21 subsection 1 of this section shall elect a chair from among
22 the membership of the task force. The task force shall meet
23 as needed to complete its consideration of its objectives as
24 established in subsections 4 and 5 of this section. Any
25 vacancy on the task force shall be filled in the same manner
26 as the original appointment. Members of the task force
27 shall serve without compensation, but shall be entitled to
28 reimbursement for actual and necessary expenses incurred in
29 the performance of their official duties.

30 3. The department of elementary and secondary
31 education shall provide such legal, research, clerical, and
32 technical services as the task force may require in the
33 performance of its duties.

34 4. The task force shall:

35 (1) Work toward implementing competency-based
36 education courses statewide and devising a plan for Missouri
37 to lead the way in competency-based education courses;

38 (2) Solicit input from individuals and organizations
39 with information or expertise relevant to the task force's
40 objective, including experts and educators with experience
41 related to competency-based education programs;

42 (3) Hold at least three public hearings to provide an
43 opportunity to receive public testimony including, but not
44 limited to, testimony from educators, local school boards,
45 parents, representatives from business and industry, labor
46 and community leaders, members of the general assembly, and
47 the general public;

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

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

53 (b) Provide individual learning and assessment
54 options, including through experiential and project-based
55 learning, online or blended learning, additional remedial
56 education time, and accelerated-pace curricula;

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

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

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

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

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

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

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

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

86 5. Beginning in 2022, the task force shall present its
87 findings and recommendations to the speaker of the house of
88 representatives, the president pro tempore of the senate,
89 the joint committee on education, and the state board of
90 education by December first annually.

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

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

8 (2) "Prior year average attendance percentage", the
9 quotient of the district or charter school's prior year
10 average daily attendance divided by the district or charter
11 school's prior year average yearly enrollment.

12 2. School districts and charter schools shall receive
13 state school funding under sections 163.031, 163.043,
14 163.044, and 163.087 for resident pupils enrolled in the
15 school district or charter school and taking competency-
16 based courses offered by the school district.

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

✓