

FIRST REGULAR SESSION

# HOUSE BILL NO. 830

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SPENCER.

1689H.011

D. ADAM CRUMBLISS, Chief Clerk

## AN ACT

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

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

Section A. Section 160.570, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 160.570, to read as follows:

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

2. **For purposes of this section, "adult student" means a student who is eighteen years of age or older or who is emancipated.**

3. The school board of each school district shall establish a written policy on student participation in statewide assessments. **In the 2017-18 school year and subsequent years, the school board of each school district shall ensure that its written policy on student participation in statewide assessments includes a policy regarding the National Assessment of Educational Progress and any college entrance test used as a statewide assessment in high school including, but not limited to, the ACT test. For purposes of this section, "statewide assessment" includes any college entrance test as described in this subsection.**

4. **The written policy on student participation in statewide assessments described under subsection 3 of this section shall include:**

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.

16           **(1) The right of a parent or adult student to choose to excuse the student from**  
17 **taking the National Assessment of Educational Progress or any statewide assessment test**  
18 **for any reason; and**

19           **(2) The right of educators to discuss the policy with members of the public and**  
20 **refer inquiries to the principal, another administrator, or the president of the school board**  
21 **of the district.**

22           **5. The written opt-out policy described under subsection 4 of this section, or any**  
23 **action related to that policy, shall not be used by any state or local agency, school leader,**  
24 **school employee, or school board as the basis for any corrective action, penalty, or other**  
25 **consequence against the school or the parent, student, school leader, or school employee.**

26           **6. The department of elementary and secondary education shall establish a form**  
27 **to excuse a student from taking the National Assessment of Educational Progress or a**  
28 **statewide assessment.**

29           **7. At least thirty days before the administration of the National Assessment of**  
30 **Educational Progress or any statewide assessment, a school district or public charter school**  
31 **shall send to parents and adult students a notice that includes:**

32           **(1) The purpose of the assessments and how the results of the assessments will be**  
33 **used or stored by the designated school agents;**

34           **(2) The specific days the statewide assessments or the National Assessment of**  
35 **Educational Progress will be administered;**

36           **(3) The amount of class time required for the assessments;**

37           **(4) The academic learning standards to which the assessments are aligned;**

38           **(5) The process used to determine the difference between good and poor**  
39 **performance on the assessments and how assessment results can be used to identify specific**  
40 **areas of need in academic content;**

41           **(6) When results of the assessments will be available to students; and**

42           **(7) A copy of the form described under subsection 6 of this section.**

43           **8. Notwithstanding subsection 7 of this section, the department of elementary and**  
44 **secondary education may waive the thirty-day notice requirement for a school district or**  
45 **public charter school if a human-created disaster or natural disaster affects the ability of**  
46 **the school district or public charter school to administer the assessments and the**  
47 **assessments will be provided at a later date as a result.**

48           **9. School districts and public charter schools shall provide supervised study of**  
49 **academic content for students excused from the assessments as provided by this section.**  
50 **The study time shall be considered instructional time for purposes of rules adopted by the**  
51 **state board of education.**

52           **10. The results of a statewide assessment shall be provided to students in a timely**  
53 **manner and in a manner that is understandable to the student.**

54           **11. The policy described under subsection 3 of this section and the form described**  
55 **under subsection 6 of this section** shall be provided to each student and the parent, guardian  
56 or other person responsible for every student [~~under eighteen years of age~~] at the beginning of  
57 each school year **and be accessible on the school district's website**, and a copy of the policy  
58 shall be maintained in the district office and shall be available for viewing by the public during  
59 business hours of the district office. A school board may establish a policy designed to  
60 encourage students to give their best efforts on each portion of any statewide assessment  
61 established pursuant to section 160.518 which may include but is not limited to incentives or  
62 supplementary work as a consequence of performance.

63           [3-] **12. In no case shall the state board of education or any other state agency mandate**  
64 **participation in any assessment described in this section or** establish any single test or group  
65 of tests as a condition or requirement for high school graduation or as a requirement for a  
66 state-approved diploma.

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