

HB 1102 -- School Failure Prevention

Sponsor: Wallace

This bill establishes procedures to address the problems of underperforming school districts that are targeted for intervention through the Missouri School Improvement Program.

CHRONICALLY FAILING SCHOOLS

By July 1, 2010, the State Board of Education must establish a process for designating a school building as chronically failing if it has underperformed for two years. Once the building is targeted for intervention, the district must notify contractual employees that a designation of chronically failing may void their contracts. Upon this designation, the superintendent, in consultation with the local board of education, is authorized to immediately dismiss the building principal, who may not serve as an administrator for the next year unless the board finds the principal did not play a significant role in the building's underperformance. The board, with the recommendation of the principal, may terminate the contract of any employee with good cause, as specified in the bill; and the employee may not displace any employee in another building. Terminated employees will receive five days' notice and may seek review by the board. Either party may appeal to the Administrative Hearing Commission. A board may suspend permanent teachers and issue probationary contracts to all certificated employees in a chronically failing building. Certificated employees may seek review of the suspension by the board, and any party may appeal to the Administrative Hearing Commission. The Commissioner of Education, or the local board with the commissioner's approval, may appoint an advisory council, the majority of whom must hold advanced degrees in education, to assist in the building's improvement efforts. Districts with chronically failing buildings must provide summer school in core subjects if students apply for it. If a chronically failing building does not receive at least average per-pupil funding from the district for buildings of the same classification and grade level, the district must provide sufficient funding to bring the building up to district average.

SCHOOL REVITALIZATION

The Commissioner of Education is required to appoint a director of school revitalization to oversee the activities of the advisory councils. The commissioner must make funds available to allow a superintendent to increase the salary of certificated employees assigned to a chronically failing building, up to 1% for every 10% of the enrollment of the building that is eligible

for a free or reduced-price lunch. Principals may also receive performance-based increases in compensation for increased student achievement as established by the Department of Elementary and Secondary Education. The bill establishes a two-year grant program for school improvement efforts, conditioned upon a districtwide professional development plan that addresses the district's needs.

SCHOOL FLEX PROGRAM

The School Flex Program is established to allow eligible students to attend school a minimum of two instructional hours per day while pursuing either higher education or a job aligned with a career academic plan and be counted in state aid calculations. The department will report annually to the Joint Committee on Education regarding the effectiveness of the program.

MISCELLANEOUS PROVISIONS

The bill:

- (1) Changes the compulsory school attendance age from 16 years of age to the successful completion of at least 16 credits toward high school graduation;
- (2) Requires any eighth grade student who fails a core curriculum course for two or more quarters to pass a 120-hour summer school class in that course or repeat the eighth grade;
- (3) Directs the additional gaming funds generated from the repeal of the loss limits with the passage of Proposition A in 2008 out of the state adequacy target calculation for state school aid and distributes the additional funds on a per-pupil basis with no less than 90% to be credited to the teachers' fund and requires 90% of the funds received by a district each year to be spent in that year;
- (4) Removes the dollar-for-dollar penalty at the end of the 2008-2009 school year that a school district must pay on any reduction in its summer school attendance from school year 2005-2006 that is in excess of 35%. Currently, the penalty will be in effect through the 2011-2012 school year; and
- (5) Extends the Small Schools Grant Program to districts with a daily attendance of up to 449 students, on a basis of 99% for an average daily attendance of 351 students decreasing to 1% for 449 students with the additional funding to come from the Proposition A funds.

The bill contains an emergency clause for the provisions

regarding the additional gaming funds, the summer school attendance penalty, and the extension of the Small Schools Grant Program.