



## HB 1704

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**Path to full text:**

<https://documents.house.mo.gov/billtracking/bills261/hlrbillspdf/4620H.01I.pdf>

## PART 1 – QUICK SNAPSHOT

### 1.1 One-Paragraph Overview

HB 1704 (“Education Freedom Act”) restructures Missouri’s K–12 accountability system. It narrows the **statewide test** to only what’s required under the federal **Every Student Succeeds Act (ESSA)**, then requires **each district and charter** to design, buy, or adopt its own local assessment system, created with community input and open to public inspection. It replaces DESE-produced report cards with **district-run “data dashboards”** and, for five school years (2027–28 through 2031–32), lets districts choose accreditation from **national school accreditation agencies** recognized by the State Board, rather than using only DESE’s accreditation system. In short, it breaks DESE’s monopoly on testing and accreditation, shifts more responsibility to the local level, and opens the door for districts to work with outside accrediting bodies that can tailor improvement plans to local needs.

### 1.2 Triage

- **Single-subject (Art. III §23):**
  - **Likely Yes.** All changes revolve around DESE/State Board responsibilities for **testing, reporting, and accreditation**.
- **Does it grow government?**
  - **Mixed / Slightly restrains.** It reduces DESE’s direct control (testing/classification/report cards), but requires districts to run their own local assessment systems and dashboards, which adds local administrative work. However, the shift from the State Government to the local level is a positive.
- **Overall impact on Missouri families:**

- **Mostly helps, with some cautions.** More local say over assessments and reporting, and the option to escape DESE's accreditation system. Still tethered to ESSA and introduces third-party nonprofits for metrics.
- **Alignment with Act for Missouri core beliefs:**
  - **Generally favorable with some reservations.** Moves power toward local control and transparency; some concern remains about dependence on federal ESSA and outside nonprofit metric designers.
- **Recommended stance:**
  - **Support – with improvements / guardrails.**

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## PART 2 – PURPOSE & PROVISION MAP

### 2.1 Stated Purpose & Title

- **Real-world purpose:**
  - Reset Missouri's school accountability model by:
    1. Limiting statewide testing to the **bare ESSA minimum**,
    2. Requiring **local assessment systems** designed with community participation,
    3. Moving public reporting to **district-level dashboards**, and
    4. Allowing districts, for a limited window, to choose **national accreditation** instead of only DESE's system.
- **Title accuracy:**
  - Formal title ("...relating to responsibilities of the department of elementary and secondary education") matches what the bill actually does.
  - "Education Freedom Act" is marketing-ish, but at least there *is* some real movement toward freedom from DESE's centralized control.

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### 2.2 Provision-by-Provision Map

#### A. Statewide testing narrowed to ESSA minimums

- **Where:** §160.518.1(2).
- **What:** Statewide summative assessment system must **"satisfy the pupil testing mandates"** under ESSA, not a broader state-created regime. These tests:
  - Are used to comply with ESSA,
  - Can be used to define "performance districts" for funding laws,
  - **May not be used** to classify school districts or charter schools.
- **Verdict: Mixed.**
  - **Good:** Cuts back DESE's ability to use statewide tests as a club for accreditation/classification; this is a direct hit on centralized, test-driven control.

- **Concern:** Explicitly builds the system around *federal* ESSA mandates, rather than Missouri-driven standards. It's practical and probably the best option currently feasible, but it's still dependent on ESSA.

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## B. Local assessment systems (your quoted section)

- **Where:** §160.518.2–3.
- **What:**
  - Every school district and charter must create, purchase, or adopt a local assessment system.
  - That system must be:
    1. Authentic and performance-based,
    2. Linked to the school's curriculum,
    3. Graded to give meaningful feedback for improvement,
    4. Developed with input from administrators, teachers, students, parents, and the community,
    5. Available for demonstration and community inspection.
- **Verdict: Strong Positive.**
  - This is real **local control**: schools are not stuck with a DESE-designed test as the only measure of learning.
  - Parents and community members have an explicit seat at the table and can actually see and critique the local assessments.

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## C. Grade-level equivalence & performance descriptors

- **Where:** Expanded §160.518.6.
- **What:**
  - Defines detailed performance levels (advanced, proficient, grade level, basic, below basic).
  - Requires **grade-level equivalence** to be calculated with statewide tests and reported:
    - At the student level to parents, and
    - Aggregated on a building/school/district/state basis through DESE's report card.
  - Protects against student-level identification in public data.
  - Explicitly allows DESE to use a **third-party nonprofit** to develop the grade-level equivalence metric.
- **Verdict: Slight Concern, but not a core deal-breaker.**
  - Helpful for parents who want a plain-language "your child is performing like a student in grade X" measure.

- But allowing a **third-party nonprofit** to design the metric is a potential vector for ideology and mission creep. That's something to watch and possibly tighten via amendment.

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#### **D. Report cards → district-run data dashboards**

- **Where:** §§160.522.1–3, 5.
- **What:**
  - DESE no longer has to produce a standardized statewide report card for each school.
  - Instead, each **district and charter** must:
    - Annually report a specific set of data (accreditation status, enrollment, attendance, discipline, test results, finances, gifted/postsecondary info, etc.).
    - Publish these in a **data dashboard on its own website**, and
    - Share the same data directly with DESE.
  - They must provide copies to patrons on request and make efforts to give the info to local businesses and others considering relocation.
  - DESE's old “priority school” listing and federal “needs improvement” flags are dropped from the statute.
- **Verdict: Positive.**
  - This shifts **ownership of transparency** to local districts and charters while keeping DESE in a data-collection role.
  - Removing “priority school” labels reduces central shaming and test-score branding.

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#### **E. National accrediting agencies & alternative accreditation path**

- **Where:** §161.092(9).
  1. **Normal years (outside 2027–28 to 2031–32)**
    - State Board continues to classify schools and set accreditation rules.
    - Districts that are “accredited without provision” but don’t meet strict “accredited with distinction” criteria may propose **alternative criteria** to earn that higher designation.
  2. **Special window: 2027–28 through 2031–32**
    - The State Board must:
      - Adopt rules that **identify and recognize at least two national school accreditation agencies** from which **any district may seek accreditation**.
      - It **may also** adopt its own accreditation system that districts *can choose* to use.
    - For that window:

- Districts get a **choice**:
  - Use the State Board's system, **or**
  - Seek accreditation from one of the approved national agencies.
- The State Board **must accept** any accreditation from those approved national agencies.
- **Verdict: Net Positive with prudent oversight.**
  - This creates a **real escape hatch from DESE's one-size-fits-all accreditation regime**.
  - National accrediting agencies, by design, usually work **directly with individual schools or districts on customized improvement plans** instead of imposing a single statewide template.
  - For districts that feel trapped by DESE's bureaucracy or politics, this gives them an **alternative partner** that can be more **responsive to local conditions** while still providing structured accountability.
  - The key is: the bill does **not** force districts to use these agencies; it simply **opens the door** and breaks DESE's exclusive control.

You absolutely can make the case that, in this political moment, **a carefully chosen national accreditor could be less captured by Jefferson City's internal games** and more focused on what parents and communities in that district actually want.

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## PART 3 – CONSTITUTIONAL & PROCESS CHECKS

### 3.1 Single-Subject & Original-Purpose

- **Main subject:**
  - DESE/State Board **responsibilities for statewide assessment, public reporting, and school accreditation**.
- **Other subjects?**
  - Local assessments, dashboards, and accreditation options are all subsets of the same theme. No unrelated criminal law, taxation, or unrelated regulatory regimes show up.
- **Title vs content:**
  - Title accurately describes the changes (DESE responsibilities).
  - “Education Freedom Act” is just a statutory name; it doesn’t hide other content.

**Conclusion:** HB 1704 **likely complies** with Art. III §23 (single subject and clear title).

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### 3.2 U.S. & Missouri Constitutional Rights

- **Life, arms, religious liberty, free speech:**

- Not directly implicated; this is structural education policy.
- **Due process / equal protection:**
  - No obvious unequal treatment of particular groups; all districts remain subject to some form of accreditation and reporting.
- **State sovereignty & federal strings:**
  - The ESSA tie-in is structurally concerning for sovereignty, but not unconstitutional, unavoidable at this stage though.

Overall: **No clear facial constitutional violations.**

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### 3.3 Delegation & Unelected Power

- **To DESE / State Board:**
  - Still significant, but **rebalanced**:
    - They keep rulemaking authority and supervision.
    - They lose the unilateral hammer of using statewide tests for classification.
    - They must accept accreditation from approved national agencies in the defined window.
- **To national accrediting agencies:**
  - They get **influence**, but only if a district chooses to use them and only within a **limited time frame**.
  - They don't replace Missouri law; they operate inside a framework the State Board has to adopt by rule, and the Board still decides how those accreditations map to "accredited/provisionally/unaccredited" for §160.400.

#### Improvement Over Current System:

- This is a **competition model** rather than blind delegation: DESE's system vs. national accrediting agencies. Districts pick which they trust more.
- In practice, that competition can **discipline DESE** to be more responsive; if DESE is unreasonable, districts can walk.

We would still advise some **guardrails on which national agencies are eligible** (no ideological strings, transparency requirements), but as written it's more of an **escape option** than a naked power giveaway.

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## PART 4 – IMPACT ON MISSOURI FAMILIES

### 4.1 Economic & Administrative Impact

- No direct taxes, fees, or fines on families.
- Districts will incur costs to:

- Design or purchase local assessment systems,
- Build and maintain web dashboards.
- But they may also **save** effort by being less entangled in DESE's detailed testing/report-card machinery and gaining flexibility to choose tools that fit their own staff and community.

Net: **Likely small budget impact; moderate admin reshuffling for districts.**

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## 4.2 Freedom, Parental Rights, and Education

**Big wins:**

- **Local assessments with parent involvement:**
  - Parents and community members are written into the design process, and assessments have to be open for inspection. That's a door for Christian, conservative parents to **push their own districts** away from fads and back toward real learning.
- **Local dashboards and transparency:**
  - Instead of everything being filtered through DESE, families can look directly at their own district's dashboard and compare what matters to them (class size, discipline, outcomes, gifted programs, etc.).
- **Alternative accreditation path:**
  - For districts suffering under DESE's politics or bureaucracy, the **national accreditor option** provides a way out:
    - Instead of begging DESE for mercy, they can work with an accreditor that sits down with them, looks at local circumstances, and builds a **custom improvement plan** – not a “St. Louis vs. rural Missouri vs. Springfield, all the same spreadsheet” approach.

**Remaining concerns:**

- ESSA still drives the minimum statewide testing system.
- Third-party nonprofits in charge of the grade-level metric need oversight so they don't slide ideology into what looks like technical work.

But overall, from a **parental rights / local control** standpoint, HB 1704 is **stronger** than current law.

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## PART 5 – ACT FOR MISSOURI CORE PRINCIPLES

- **100% Pro-Life:** Not implicated.
- **Christian, biblical worldview:**

- Positive insofar as it shifts decisions closer to parents, churches, and local communities where believers can show up and influence policy.
- Risks could come from which national accreditors and nonprofits are chosen, but that can be handled with future advocacy and (ideally) guardrails.
- **Limited, local, transparent government:**
  - Moves in that direction:
    - Less DESE test-driven control,
    - Local dashboards and assessments,
    - Competitive accreditation options that weaken DESE's monopoly.
- **Parental primacy in education:**
  - Parents gain concrete tools: input into local assessments, access to transparent dashboards, and leverage in local meetings.
- **State sovereignty / resistance to globalist creep:**
  - ESSA tie is a negative; national accreditors could be a conduit for national/global agendas **if badly chosen**.
  - On the other hand, the ability to escape DESE can be used to choose accrediting partners that are more aligned with local conservative communities than DESE currently is. That's a political battle to be fought at the selection stage.

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## PART 6 – SPECIAL 2025 PRIORITIES

- **Amendment 3 / Personhood / Equal Protection:** Not touched.
- **Surveillance / Digital-ID / data hubs:**
  - Bill expands education data use (dashboards, grade-level equivalence), but not in a way that obviously connects to law-enforcement databases, CBDC, or digital ID.
  - As always, data systems can be misused in the future, but this bill is not a clear surveillance driver.
- **Utilities / AI data centers / economy:** Not implicated.

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## PART 7 – CONCERNS, AMENDMENTS & FINAL RECOMMENDATION

### 7.1 Key Concerns (short list)

1. **ESSA tether** – Statewide tests are defined around federal mandates, not Missouri-centric priorities.
2. **Third-party nonprofit power** – The grade-level equivalence metric can be outsourced; needs transparency and ideological guardrails.
3. **National accreditor selection** – The concept is good (escape DESE), but the *specific agencies chosen* matter enormously.

## 7.2 Improvement Ideas (without rejecting the core structure)

- Add language requiring that any national accreditor or nonprofit:
  - Publicly disclose all standards and criteria,
  - May not condition accreditation on DEI/CRT/gender-ideology policies,
  - May not require policies that violate parental rights or religious freedom.
- Loosen the explicit ESSA reference so Missouri has the option to **define its own statewide test** while still being able to comply with federal law where necessary.

## 7.3 Final Recommendation

**Recommended stance:** *Support.*

HB 1704 advances several of your core goals: it pulls testing and transparency down to the local level, gives parents a better foothold to shape assessment and accountability, and breaks DESE's monopoly on accreditation by opening a competitive path through national accrediting agencies that can work with districts on tailored improvement plans instead of one-size-fits-all mandates. The bill still has technical areas that deserve tightening (ESSA tether, third-party nonprofits, accreditor criteria), but taken as a whole it moves Missouri's education system toward **more local control, more options, and less DESE-centric power**—provided we stay engaged to shape which outside entities actually get invited to the table.