

SECOND REGULAR SESSION

HOUSE BILL NO. 2174

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE POLLITT (52).

4787H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 162.1250, 163.018, 167.903, 168.021, and 169.596, RSMo, and to enact in lieu thereof eight new sections relating to workforce development in elementary and secondary education, with a delayed effective date for a certain section.

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

Section A. Sections 162.1250, 163.018, 167.903, 168.021, and 169.596, RSMo, are repealed and eight new sections enacted in lieu thereof, to be known as sections 161.214, 162.1250, 163.018, 167.903, 167.907, 167.908, 168.021, and 169.596, to read as follows:

161.214. 1. As used in this section, the following terms mean:

(1) "Board", the state board of education;

(2) "Department", the department of elementary and secondary education;

(3) "School innovation team", a group of natural persons representing:

(a) A single elementary or secondary school;

(b) A group of two or more elementary or secondary schools within the same school district that share common interests, such as geographical location or educational focus, or that sequentially serve classes of students as they progress through elementary and secondary education;

(c) A group of two or more elementary or secondary schools not within the same school district that share common interests, such as geographical location or educational focus, or that sequentially serve classes of students as they progress through elementary and secondary education;

(d) A single school district; or

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.

15 (e) A group of two or more school districts that share common interests, such as
16 geographical location or educational focus, or that sequentially serve classes of students as
17 they progress through elementary and secondary education;

18 (4) "School innovation waiver", a waiver granted by the board to a single school,
19 group of schools, single school district, or group of school districts pursuant to this section,
20 in which the school, group of schools, school district, or group of school districts is exempt
21 from a specific requirement imposed by chapter 160, 161, 162, 167, 170, or 171, or any
22 regulations promulgated under such chapters by the board or the department. Any school
23 innovation waiver granted to a school district or group of school districts shall apply to
24 every elementary and secondary school within the school district or group of school
25 districts unless the plan specifically provides otherwise.

26 2. Any school innovation team seeking a school innovation waiver may submit a
27 plan to the board for one or more of the following purposes:

28 (1) Improving student readiness for employment, higher education, vocational
29 training, technical training, or any other form of career and job training;

30 (2) Increasing the compensation of teachers; or

31 (3) Improving the recruitment, retention, training, preparation, or professional
32 development of teachers.

33 3. Any plan for a school innovation waiver shall:

34 (1) Identify the specific provision of law for which a waiver is being requested and
35 provide an explanation for why the specific provision of law inhibits the ability of the
36 school or school district to accomplish the goal stated in the plan;

37 (2) Demonstrate that the intent of the specific provision of law can be addressed in
38 a more effective, efficient, or economical manner and that the waiver or modification is
39 necessary to implement the plan;

40 (3) Include measurable annual performance targets and goals for the
41 implementation of the plan;

42 (4) Specify the innovations to be pursued in meeting one or more of the goals listed
43 in subsection 2 of this section;

44 (5) Demonstrate parental, school employee, and community and business support
45 for, and engagement with, the plan; and

46 (6) Be approved by at least the minimum number of people required to be on the
47 school innovation team prior to submitting the plan for approval.

48 4. (1) In evaluating a plan submitted by a school innovation team under subsection
49 2 of this section, the board shall consider whether the plan will:

50 (a) Improve the preparation, counseling, and overall readiness of students for
51 postsecondary life;

52 (b) Increase teacher salaries in a financially sustainable and prudent manner; or

53 (c) Increase the attractiveness of the teaching profession for prospective teachers
54 and active teachers alike.

55 (2) The board may approve any plan submitted under subsection 2 of this section
56 if the board determines that:

57 (a) The plan successfully demonstrates the ability to address the intent of the
58 provision of law to be waived in a more effective, efficient, or economical manner;

59 (b) The waivers or modifications are demonstrated to be necessary to stimulate or
60 improve student readiness for postsecondary life, increase teacher salaries, or increase the
61 attractiveness of the teaching profession for prospective teachers and active teachers;

62 (c) The plan has demonstrated sufficient participation from among the teachers,
63 principal, superintendent, faculty, school board, parents, and the community at large; and

64 (d) The plan is based upon sound educational practices, does not endanger the
65 health and safety of students or staff, and does not compromise equal opportunity for
66 learning.

67 (3) The board may propose modifications to the plan in cooperation with the school
68 innovation team.

69 5. Any waiver granted under this section shall be effective for a period of no longer
70 than three school years beginning the school year following the school year in which the
71 waiver is approved. Any waiver may be renewed. No more than one school innovation
72 waiver shall be in effect with respect to any one elementary or secondary school at one
73 time.

74 6. This section shall not be construed to allow the state board of education to
75 authorize the waiver of any statutory requirements relating to school start date, teacher
76 certification, teacher tenure, or any requirement imposed by federal law.

77 7. The board may promulgate rules implementing the provisions of this section.
78 Any rule or portion of a rule, as that term is defined in section 536.010, that is created
79 under the authority delegated in this section shall become effective only if it complies with
80 and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
81 This section and chapter 536 are nonseverable, and if any of the powers vested with the
82 general assembly pursuant to chapter 536 to review, to delay the effective date, or to
83 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
84 rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be
85 invalid and void.

162.1250. 1. School districts shall receive state school funding under sections 163.031, 2 163.043, and 163.087 for resident students who are enrolled in the school district and who are 3 taking a virtual course or full-time virtual program offered by the school district. The school 4 district may offer instruction in a virtual setting using technology, intranet, and internet methods 5 of communications that could take place outside of the regular school district facility. The 6 school district may develop a virtual program for any grade level, kindergarten through twelfth 7 grade, with the courses available in accordance with district policy to any resident student of the 8 district who is enrolled in the school district. Nothing in this section shall preclude a private, 9 parochial, or home school student residing within a school district offering virtual courses or 10 virtual programs from enrolling in the school district in accordance with the combined 11 enrollment provisions of section 167.031 for the purposes of participating in the virtual courses 12 or virtual programs.

13 2. Charter schools shall receive state school funding under section 160.415 for students 14 enrolled in the charter school who are completing a virtual course or full-time virtual program 15 offered by the charter school. Charter schools may offer instruction in a virtual setting using 16 technology, intranet, and internet methods of communications. The charter school may develop 17 a virtual program for any grade level, kindergarten through twelfth grade, with the courses 18 available in accordance with school policy and the charter school's charter to any student enrolled 19 in the charter school.

20 3. For purposes of calculation and distribution of state school funding, attendance of a 21 student enrolled in a district or charter school virtual class shall equal, upon course completion, 22 ~~ninety-four~~ **ninety-five** percent of the hours of attendance possible for such class delivered in 23 the nonvirtual program in the student's resident district or charter school. Course completion 24 shall be calculated in two increments, fifty percent completion and one hundred percent 25 completion, based on the student's completion of defined assignments and assessments, with 26 distribution of state funding to a school district or charter school at each increment equal to 27 forty-seven percent of hours of attendance possible for such course delivered in the nonvirtual 28 program in a student's school district of residence or charter school.

29 4. When courses are purchased from an outside vendor, the district or charter school 30 shall ensure that they are aligned with the show-me curriculum standards and comply with state 31 requirements for teacher certification. The state board of education reserves the right to request 32 information and materials sufficient to evaluate the online course. Online classes should be 33 considered like any other class offered by the school district or charter school.

34 5. Any school district or charter school that offers instruction in a virtual setting, 35 develops a virtual course or courses, or develops a virtual program of instruction shall ensure that 36 the following standards are satisfied:

37 (1) The virtual course or virtual program utilizes appropriate content-specific tools and
38 software;

39 (2) Orientation training is available for teachers, instructors, and students as needed;

40 (3) Privacy policies are stated and made available to teachers, instructors, and students;

41 (4) Academic integrity and internet etiquette expectations regarding lesson activities,
42 discussions, electronic communications, and plagiarism are stated to teachers, instructors, and
43 students prior to the beginning of the virtual course or virtual program;

44 (5) Computer system requirements, including hardware, web browser, and software, are
45 specified to participants;

46 (6) The virtual course or virtual program architecture, software, and hardware permit the
47 online teacher or instructor to add content, activities, and assessments to extend learning
48 opportunities;

49 (7) The virtual course or virtual program makes resources available by alternative means,
50 including but not limited to, video and podcasts;

51 (8) Resources and notes are available for teachers and instructors in addition to
52 assessment and assignment answers and explanations;

53 (9) Technical support and course management are available to the virtual course or
54 virtual program teacher and school coordinator;

55 (10) The virtual course or virtual program includes assignments, projects, and
56 assessments that are aligned with students' different visual, auditory, and hands-on learning
57 styles;

58 (11) The virtual course or virtual program demonstrates the ability to effectively use and
59 incorporate subject-specific and developmentally appropriate software in an online learning
60 module; and

61 (12) The virtual course or virtual program arranges media and content to help transfer
62 knowledge most effectively in the online environment.

63 6. Any special school district shall count any student's completion of a virtual course or
64 program in the same manner as the district counts completion of any other course or program for
65 credit.

66 7. A school district or charter school may contract with multiple providers of virtual
67 courses or virtual programs, provided they meet the criteria for virtual courses or virtual
68 programs under this section.

163.018. 1. (1) **(a)** Notwithstanding the definition of average daily attendance in
2 subdivision (2) of section 163.011 to the contrary, pupils between the ages of three and five who
3 are eligible for free and reduced price lunch and attend an early childhood education program

4 **shall be included in the district's or charter school's calculation of average daily attendance**
 5 **if the program is:**

6 ~~[(a) That is]~~ **a.** Operated by and in a district or by a charter school that has declared itself
 7 as a local educational agency providing full-day kindergarten and that meets standards
 8 established by the state board of education; or

9 ~~[(b) That is]~~ **b.** Under contract with a district or charter school that has declared itself
 10 as a local educational agency and that meets standards established by the state board of
 11 education[;

12 ~~shall be included in the district's or charter school's calculation of average daily attendance].~~

13 **(b)** The total number of such pupils included in the district's or charter school's
 14 calculation of average daily attendance shall not exceed four percent of the total number of pupils
 15 who are eligible for free and reduced price lunch between the ages of five and eighteen who are
 16 included in the district's or charter school's calculation of average daily attendance.

17 **(2)** If a pupil described under subdivision (1) of this subsection leaves an early childhood
 18 education program during the school year, a district or charter school shall be allowed to fill the
 19 vacant enrollment spot with another pupil between the ages of three and five who is eligible for
 20 free and reduced price lunch without affecting the district's or charter school's calculation of
 21 average daily attendance.

22 **(3) Notwithstanding the definition of average daily attendance in subdivision (2)**
 23 **of section 163.011 to the contrary, beginning with the 2020-21 school year, the attendance**
 24 **included in the average daily attendance of a district or charter school shall include the**
 25 **attendance hours of pupils that attend a half-day early childhood education program of**
 26 **the district or charter school in the current year. This subdivision shall apply only to a**
 27 **district or charter school that did not offer an early childhood education program during**
 28 **the 2019-20 school year.**

29 **2. (1)** In establishing standards for any early childhood education program that is under
 30 contract with a district or charter school that has declared itself as a local educational agency, the
 31 state board of education shall consider:

32 ~~[(1)]~~ **(a)** Whether a program offers full-day and full-year programming;

33 ~~[(2)]~~ **(b)** Whether a program has teacher-to-child ratios consistent with reasonable
 34 standards set by early childhood education program accrediting agencies;

35 ~~[(3)]~~ **(c)** Whether a program offers professional development supports for educators and
 36 the type of supports offered;

37 ~~[(4)]~~ **(d)** Whether a program uses appropriately credentialed educators;

38 ~~[(5)]~~ (e) Whether a program uses an early childhood education curriculum that has been
39 approved by the department of elementary and secondary education and whether the curriculum
40 is developmentally appropriate; and

41 ~~[(6)]~~ (f) Any other factor that the state board of education determines to be significant
42 in ensuring that children achieve high levels of kindergarten readiness.

43 (2) The state board of education shall require that staff members of any early childhood
44 education program that is under contract with a district or charter school that has declared itself
45 as a local educational agency undergo background checks as described in section 168.133.

46 3. This section shall not require school attendance beyond that mandated under section
47 167.031 and shall not change or amend the provisions of sections 160.051, 160.053, 160.054,
48 and 160.055 relating to kindergarten attendance.

167.903. 1. Each student prior to ~~[his or her]~~ **the student's** ninth grade year at a public
2 school, including a charter school, ~~[may]~~ **shall** develop with help from the school's guidance
3 counselors ~~[a personal]~~ **an individual career and academic plan [of study]**, which shall be
4 reviewed ~~[regularly, as needed]~~ **once per semester** by school personnel and the student's parent
5 or guardian and updated based upon the needs of the student. Each plan shall present a sequence
6 of courses and experiences that conclude with the student reaching ~~[his or her]~~ **the student's**
7 postsecondary goals, with implementation of the plan ~~[of study]~~ transferring to the program of
8 postsecondary education or training upon the student's high school graduation. The plan shall
9 include, but not be limited to:

10 (1) Requirements for graduation from the school district or charter school;

11 (2) Career or postsecondary goals;

12 (3) Coursework or program of study related to career and postsecondary goals, which
13 shall include, if relevant, opportunities that the district or school may not directly offer;

14 (4) Grade-appropriate and career-related experiences, as outlined in the grade-level
15 expectations of the Missouri comprehensive guidance program; and

16 (5) Student assessments, interest inventories, or academic results needed to develop,
17 review, and revise the personal plan of study, which shall include, if relevant, assessments,
18 inventories, or academic results that the school district or charter school may not offer.

19 2. Each school district shall adopt a policy to permit the waiver of the requirements of
20 this section for any student with a disability if recommended by the student's IEP committee.
21 For purposes of this subsection, "IEP" means individualized education program.

22 **3. Each student prior to the completion of the second semester of the student's**
23 **twelfth grade year shall include, as part of the student's individual career and academic**
24 **plan, a declaration of the student's postsecondary plans, including but not limited to the**
25 **following:**

- 26 **(1) Confirming employment upon graduation;**
27 **(2) Acceptance to an institution of higher education, whether a two-year institution**
28 **or a four-year institution;**
29 **(3) Acceptance to participate in a vocational, technical, or other training program**
30 **designed to prepare the student for employment; or**
31 **(4) Commitment to enlist in the Armed Forces of the United States.**

32 **167.907. 1. No pupil shall receive a certificate of graduation from any public or**
33 **private school unless the pupil has completed and submitted the Free Application for**
34 **Federal Student Aid, as maintained by the United States Department of Education.**

35 **2. A student shall be exempt from the requirement to complete or submit the Free**
36 **Application for Federal Student Aid under subsection 1 of this section if such student**
37 **submits:**

- 38 **(1) Written confirmation of a commitment to enlist in the Armed Forces of the**
39 **United States to the student's school; or**
40 **(2) A written document or form to the student's school, signed by the student's**
41 **parent or guardian, attesting that the student understands what the application is and has**
42 **chosen not to file such application.**

167.908. The department of higher education and workforce development shall, by
2 **rule, establish a procedure for providing the means and capability for high school students**
3 **enrolled in career and technical education programs described in section 170.029 to**
4 **complete an application for aid through the Employment and Training Administration of**
5 **the United States Department of Labor under the federal Workforce Innovation and**
6 **Opportunity Act. The department shall work with school districts that deliver career and**
7 **technical education programs to educate students on the value of the aid that is available**
8 **to them through the federal Workforce Innovation and Opportunity Act. To that end, the**
9 **department shall meet the following thresholds:**

10 **(1) For the 2020-2021 school year, the department shall ensure that fifty percent**
11 **of all department of elementary and secondary education area career centers that deliver**
12 **career and technical education programs have the means and capability for students at**
13 **such schools to complete an application for aid through the Employment and Training**
14 **Administration of the United States Department of Labor under the federal Workforce**
15 **Innovation and Opportunity Act.**

16 **(2) For the 2021-2022 school year, the department shall ensure that seventy percent**
17 **of all department of elementary and secondary education area career centers that deliver**
18 **career and technical education programs have the means and capability for students at**
19 **such schools to complete an application for aid through the Employment and Training**

20 **Administration of the United States Department of Labor under the federal Workforce**
21 **Innovation and Opportunity Act.**

22 **(3) For the 2022-2023 school year, the department shall ensure that ninety percent**
23 **of all department of elementary and secondary education area career centers that deliver**
24 **career and technical education programs have the means and capability for students at**
25 **such schools to complete an application for aid through the Employment and Training**
26 **Administration of the United States Department of Labor under the federal Workforce**
27 **Innovation and Opportunity Act.**

28 **(4) For the 2023-2024 school year and every school year thereafter, the department**
29 **shall ensure that one hundred percent of all department of elementary and secondary**
30 **education area career centers that deliver career and technical education programs have**
31 **the means and capability for students at such schools to complete an application for aid**
32 **through the Employment and Training Administration of the United States Department**
33 **of Labor under the federal Workforce Innovation and Opportunity Act.**

168.021. 1. Certificates of license to teach in the public schools of the state shall be
2 granted as follows:

3 (1) By the state board, under rules and regulations prescribed by it:

4 (a) Upon the basis of college credit;

5 (b) Upon the basis of examination;

6 (2) By the state board, under rules and regulations prescribed by the state board with
7 advice from the advisory council established by section 168.015 to any individual who presents
8 to the state board a valid doctoral degree from an accredited institution of higher education
9 accredited by a regional accrediting association such as North Central Association. Such
10 certificate shall be limited to the major area of postgraduate study of the holder, shall be issued
11 only after successful completion of the examination required for graduation pursuant to rules
12 adopted by the state board of education, and shall be restricted to those certificates established
13 pursuant to subdivision (2) of subsection 3 of this section;

14 (3) By the state board, which shall issue the professional certificate classification in both
15 the general and specialized areas most closely aligned with the current areas of certification
16 approved by the state board, commensurate with the years of teaching experience of the
17 applicant, and based upon the following criteria:

18 (a) Recommendation of a state-approved baccalaureate-level teacher preparation
19 program;

20 (b) Successful attainment of the Missouri qualifying score on the exit assessment for
21 teachers or administrators designated by the state board of education. Applicants who have not

22 successfully achieved a qualifying score on the designated examinations will be issued a
23 two-year nonrenewable provisional certificate; and

24 (c) Upon completion of a background check as prescribed in section 168.133 and
25 possession of a valid teaching certificate in the state from which the applicant's teacher
26 preparation program was completed;

27 (4) By the state board, under rules prescribed by it, on the basis of a relevant bachelor's
28 degree, or higher degree, and a passing score for the designated exit examination, for individuals
29 whose academic degree and professional experience are suitable to provide a basis for instruction
30 solely in the subject matter of banking or financial responsibility, at the discretion of the state
31 board. Such certificate shall be limited to the major area of study of the holder and shall be
32 restricted to those certificates established under subdivision (2) of subsection 3 of this section.
33 Holders of certificates granted under this subdivision shall be exempt from the teacher tenure act
34 under sections 168.102 to 168.130 and each school district shall have the decision-making
35 authority on whether to hire the holders of such certificates;

36 (5) By the state board, under rules and regulations prescribed by it, on the basis of
37 certification by the American Board for Certification of Teacher Excellence (ABCTE) and
38 verification of ability to work with children as demonstrated by sixty contact hours in any one
39 of the following areas as validated by the school principal: sixty contact hours in the classroom,
40 of which at least forty-five must be teaching; sixty contact hours as a substitute teacher, with at
41 least thirty consecutive hours in the same classroom; sixty contact hours of teaching in a private
42 school; or sixty contact hours of teaching as a paraprofessional, for an initial four-year ABCTE
43 certificate of license to teach, except that such certificate shall not be granted for the areas of
44 early childhood education, or special education. For certification in the area of elementary
45 education, ninety contact hours in the classroom shall be required, of which at least thirty shall
46 be in an elementary classroom. Upon the completion of the requirements listed in paragraphs
47 (a) [~~(b), (c), and~~] to (d) of this subdivision, an applicant shall be eligible to apply for a career
48 continuous professional certificate under subdivision (3) of subsection 3 of this section:

49 (a) Completion of thirty contact hours of professional development within four years,
50 which may include hours spent in class in an appropriate college curriculum;

51 (b) Validated completion of two years of the mentoring program of the American Board
52 for Certification of Teacher Excellence or a district mentoring program approved by the state
53 board of education;

54 (c) Attainment of a successful performance-based teacher evaluation; and

55 (d) Participation in a beginning teacher assistance program; or

56 (6) (a) By the state board, under rules and regulations prescribed by it, which shall issue
57 an initial visiting scholars certificate at the discretion of the board, based on the following
58 criteria:

59 ~~[(a)]~~ a. Verification from the hiring school district that the applicant will be employed
60 as part of a business-education partnership initiative designed to build career pathways systems
61 for students in a grade or grades not lower than the ninth grade for which the applicant's
62 academic degree or professional experience qualifies ~~[him or her]~~ **such applicant**;

63 ~~[(b)]~~ b. Appropriate and relevant bachelor's degree or higher, occupational license, or
64 industry-recognized credential;

65 ~~[(c)]~~ c. Completion of the application for a one-year visiting scholars certificate; and

66 ~~[(d)]~~ d. Completion of a background check as prescribed under section 168.133.

67 (b) The initial visiting scholars certificate shall certify the holder of such certificate to
68 teach for one year. An applicant shall be eligible to renew an initial visiting scholars certificate
69 a maximum of two times, based upon the completion of the requirements listed under
70 ~~[paragraphs (a), (b), and (d)]~~ **subparagraphs a., b., and d. of paragraph (a)** of this subdivision;
71 completion of professional development required by the school district and school; and
72 attainment of a satisfactory performance-based teacher evaluation.

73 2. All valid teaching certificates issued pursuant to law or state board policies and
74 regulations prior to September 1, 1988, shall be exempt from the professional development
75 requirements of this section and shall continue in effect until they expire, are revoked or
76 suspended, as provided by law. When such certificates are required to be renewed, the state
77 board or its designee shall grant to each holder of such a certificate the certificate most nearly
78 equivalent to the one so held. Anyone who holds, as of August 28, 2003, a valid PC-I, PC-II,
79 or continuous professional certificate shall, upon expiration of ~~[his or her]~~ **such individual's**
80 current certificate, be issued the appropriate level of certificate based upon the classification
81 system established pursuant to subsection 3 of this section.

82 3. (1) Certificates of license to teach in the public schools of the state shall be based
83 upon minimum requirements prescribed by the state board of education which shall include
84 completion of a background check as prescribed in section 168.133. The state board shall
85 provide for the following levels of professional certification: an initial professional certificate
86 and a career continuous professional certificate.

87 (2) The initial professional certificate shall be issued upon completion of requirements
88 established by the state board of education and shall be valid based upon verification of actual
89 teaching within a specified time period established by the state board of education. The state
90 board shall require holders of the four-year initial professional certificate to:

91 (a) Participate in a mentoring program approved and provided by the district for a
92 minimum of two years;

93 (b) Complete thirty contact hours of professional development, which may include hours
94 spent in class in an appropriate college curriculum, or for holders of a certificate under
95 subdivision (4) of subsection 1 of this section, an amount of professional development in
96 proportion to the certificate holder's hours in the classroom, if the certificate holder is employed
97 less than full time; and

98 (c) Participate in a beginning teacher assistance program.

99 (3) (a) The career continuous professional certificate shall be issued upon verification
100 of completion of four years of teaching under the initial professional certificate and upon
101 verification of the completion of the requirements articulated in ~~[paragraphs (a), (b), and (c) of]~~
102 subdivision (2) of this subsection or paragraphs (a) ~~[(b), (c), and]~~ to (d) of subdivision (5) of
103 subsection 1 of this section.

104 (b) The career continuous professional certificate shall be continuous based upon
105 verification of actual employment in an educational position as provided for in state board
106 guidelines and completion of fifteen contact hours of professional development per year which
107 may include hours spent in class in an appropriate college curriculum. Should the possessor of
108 a valid career continuous professional certificate fail, in any given year, to meet the fifteen-hour
109 professional development requirement, the possessor may, within two years, make up the
110 missing hours. In order to make up for missing hours, the possessor shall first complete the
111 fifteen-hour requirement for the current year and then may count hours in excess of the current
112 year requirement as make-up hours. Should the possessor fail to make up the missing hours
113 within two years, the certificate shall become inactive. In order to reactivate the certificate, the
114 possessor shall complete twenty-four contact hours of professional development which may
115 include hours spent in the classroom in an appropriate college curriculum within the six months
116 prior to or after reactivating ~~[his or her]~~ **such** certificate. The requirements of this paragraph
117 shall be monitored and verified by the local school district which employs the holder of the
118 career continuous professional certificate.

119 (c) A holder of a career continuous professional certificate shall be exempt from the
120 professional development contact hour requirements of paragraph (b) of this subdivision if such
121 teacher has a local professional development plan in place within such teacher's school district
122 and meets two of the three following criteria:

123 a. Has ten years of teaching experience as defined by the state board of education;

124 b. Possesses a master's degree; or

125 c. Obtains a rigorous national certification as approved by the state board of education.

126 4. Policies and procedures shall be established by which a teacher who was not retained
127 due to a reduction in force may retain the current level of certification. There shall also be
128 established policies and procedures allowing a teacher who has not been employed in an
129 educational position for three years or more to reactivate ~~[his or her]~~ **the teacher's** last level of
130 certification by completing twenty-four contact hours of professional development which may
131 include hours spent in the classroom in an appropriate college curriculum within the six months
132 prior to or after reactivating ~~[his or her]~~ **the teacher's** certificate.

133 5. The state board shall, upon completion of a background check as prescribed in section
134 168.133, issue a professional certificate classification in the areas most closely aligned with an
135 applicant's current areas of certification, commensurate with the years of teaching experience of
136 the applicant, to any person who is hired to teach in a public school in this state and who
137 possesses a valid teaching certificate from another state or certification under subdivision (4) of
138 subsection 1 of this section, provided that the certificate holder shall annually complete the state
139 board's requirements for such level of certification, and shall establish policies by which
140 residents of states other than the state of Missouri may be assessed a fee for a certificate of
141 license to teach in the public schools of Missouri. Such fee shall be in an amount sufficient to
142 recover any or all costs associated with the issuing of a certificate of license to teach. The board
143 shall promulgate rules to authorize the issuance of a provisional certificate of license, which shall
144 allow the holder to assume classroom duties pending the completion of a criminal background
145 check under section 168.133, for any applicant who:

- 146 (1) Is the spouse of a member of the Armed Forces stationed in Missouri;
147 (2) Relocated from another state within one year of the date of application;
148 (3) Underwent a criminal background check in order to be issued a teaching certificate
149 of license from another state; and
150 (4) Otherwise qualifies under this section.

151 6. The state board may assess to holders of an initial professional certificate a fee, to be
152 deposited into the excellence in education revolving fund established pursuant to section
153 160.268, for the issuance of the career continuous professional certificate. However, such fee
154 shall not exceed the combined costs of issuance and any criminal background check required as
155 a condition of issuance. Applicants for the initial ABCTE certificate shall be responsible for any
156 fees associated with the program leading to the issuance of the certificate, but nothing in this
157 section shall prohibit a district from developing a policy that permits fee reimbursement.

158 7. Any member of the public school retirement system of Missouri who entered covered
159 employment with ten or more years of educational experience in another state or states and held
160 a certificate issued by another state and subsequently worked in a school district covered by the
161 public school retirement system of Missouri for ten or more years who later became certificated

162 in Missouri shall have that certificate dated back to ~~[his or her]~~ **such member's** original date of
 163 employment in a Missouri public school.

169.596. 1. Notwithstanding any other provision of this chapter to the contrary, a retired
 2 certificated teacher receiving a retirement benefit from the retirement system established
 3 pursuant to sections 169.010 to 169.141 may, without losing ~~[his or her]~~ **such teacher's**
 4 retirement benefit, ~~[teach]~~ **be employed** full time for up to ~~[two]~~ **four** years for a school district
 5 covered by such retirement system; provided that the school district has a shortage of certified
 6 teachers, as determined by the school district~~], and provided that no such retired certificated~~
 7 ~~teacher shall be employed as a superintendent. The total number of such retired certificated~~
 8 ~~teachers shall not exceed, at any one time, the lesser of ten percent of the total teacher staff for~~
 9 ~~that school district, or five certificated teachers].~~ **A retired certificated teacher receiving a**
 10 **retirement benefit from the retirement system established under sections 169.010 to**
 11 **169.141 may be employed as a superintendent under this subsection only if such teacher**
 12 **has been retired for at least twelve months prior to such employment, unless such**
 13 **employment is immediately necessary due to death, disability, or termination for cause of**
 14 **the superintendent who held the position being filled.**

15 2. Notwithstanding any other provision of this chapter to the contrary, a person receiving
 16 a retirement benefit from the retirement system established pursuant to sections 169.600 to
 17 169.715 may, without losing ~~[his or her]~~ **such person's** retirement benefit, be employed full time
 18 for up to ~~[two]~~ **four** years for a school district covered by such retirement system; provided that
 19 the school district has a shortage of noncertificated employees, as determined by the school
 20 district. ~~[The total number of such retired noncertificated employees shall not exceed, at any one~~
 21 ~~time, the lesser of ten percent of the total noncertificated staff for that school district, or five~~
 22 ~~employees.]~~

23 3. **The total number of retired members working for a school district under**
 24 **subsections 1 and 2 of this section shall not exceed, at any one time, the lesser of:**

25 **(1) Ten percent of the total number of employees for that district; or**

26 **(2) Ten employees.**

27 4. The employer's contribution rate shall be paid by the hiring school district.

28 ~~[4.]~~ 5. In order to hire ~~[teachers and noncertificated employees pursuant to]~~ **retired**
 29 **members under** the provisions of this section, the school district shall:

30 (1) Show a good faith effort to fill positions with nonretired certificated teachers or
 31 nonretired noncertificated employees;

32 (2) Post the vacancy for at least one month;

33 (3) Have not offered early retirement incentives for either of the previous two years;

34 (4) Solicit applications through the local newspaper, other media, or teacher education
35 programs;

36 (5) Determine there is an insufficient number of eligible applicants for the advertised
37 position; and

38 (6) Declare a critical shortage of certificated teachers or noncertificated employees that
39 is active for one year.

40 ~~[5.]~~ **6.** Any person hired pursuant to this section shall be included in the State Directory
41 of New Hires for purposes of income and eligibility verification pursuant to 42 U.S.C. Section
42 1320b-7, **as amended.**

Section B. The repeal and reenactment of section 169.596 of this act shall become
2 effective on January 1, 2021.

✓