

SECOND REGULAR SESSION

SENATE BILL NO. 830

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CUNNINGHAM.

Read 1st time January 8, 2020, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4700S.03I

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.

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Section A. Sections 162.1250, 163.018, 167.903, 168.021, and 169.596, RSMo, are repealed and eight new sections enacted in lieu thereof, to be known as sections 161.214, 162.1250, 163.018, 167.903, 167.907, 167.908, 168.021, and 169.596, to read as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. For purposes of this section, the following terms shall 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

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 classes of students as they progress through elementary and secondary
18 education;

19 (d) A single school district; or

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

24 (4) "School innovation waiver", a waiver granted by the board to
25 a single school, group of schools, single school district, or group of
26 school districts pursuant to this section, in which the school, group of
27 schools, school district, or group of school districts is exempt from a
28 specific requirement imposed by chapter 160, chapter 161, chapter 162,
29 chapter 167, chapter 170, or chapter 171, or any regulations
30 promulgated thereunder by the board or the department. Any school
31 innovation waiver granted to a school district or group of school
32 districts shall be applicable to every elementary and secondary school
33 within the school district or group of school districts unless the plan
34 specifically provides otherwise.

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

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

41 (2) Increasing the compensation of teachers; or

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

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

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

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

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

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

56 **(5) Demonstrate parental, school employee, and community and**
57 **business support for, and engagement with, the plan; and**

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

61 **4. (1) In evaluating a plan submitted by a school innovation**
62 **team under subsection 2 of this section, the board shall consider**
63 **whether the plan will:**

64 **(a) Improve the preparation, counseling, and overall readiness**
65 **of students for postsecondary life;**

66 **(b) Increase teacher salaries in a financially sustainable and**
67 **prudent manner; or**

68 **(c) Increase the attractiveness of the teaching profession for**
69 **prospective teachers and active teachers alike.**

70 **(2) The board may approve any plan submitted under subsection**
71 **2 of this section if it determines that:**

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

75 **(b) The waivers or modifications are demonstrated to be**
76 **necessary to stimulate improved student readiness for postsecondary**
77 **life, increase teacher salaries, or increase the attractiveness of the**
78 **teaching profession for prospective teachers and active teachers;**

79 **(c) The plan has demonstrated sufficient participation from**
80 **among the teachers, principals, superintendent, faculty, school board,**
81 **parents, and the community at large; and**

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

85 **(3) The board may propose modifications to the plan in**
86 **cooperation with the school innovation team.**

87 **5. Any waiver granted under this section shall be effective for a**
88 **period of no longer than three school years beginning the school year**
89 **following the school year in which the waiver is approved. Any waiver**
90 **may be renewed. No more than one school innovation waiver shall be**

91 **in effect with respect to any one elementary or secondary school at one**
92 **time.**

93 **6. This section shall not be construed to allow the state board of**
94 **education to authorize the waiver of any statutory requirements**
95 **relating to teacher certification, teacher tenure, or any requirement**
96 **imposed by federal law.**

97 **7. The board may promulgate rules implementing the provisions**
98 **of this section. Any rule or portion of a rule, as that term is defined in**
99 **section 536.010, that is created under the authority delegated in this**
100 **section shall become effective only if it complies with and is subject to**
101 **all of the provisions of chapter 536 and, if applicable, section**
102 **536.028. This section and chapter 536 are nonseverable and if any of**
103 **the powers vested with the general assembly pursuant to chapter 536**
104 **to review, to delay the effective date, or to disapprove and annul a rule**
105 **are subsequently held unconstitutional, then the grant of rulemaking**
106 **authority and any rule proposed or adopted after August 28, 2020, shall**
107 **be invalid and void.**

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

15 **2. Charter schools shall receive state school funding under section 160.415**
16 **for students enrolled in the charter school who are completing a virtual course or**
17 **full-time virtual program offered by the charter school. Charter schools may offer**
18 **instruction in a virtual setting using technology, intranet, and internet methods**
19 **of communications. The charter school may develop a virtual program for any**

20 grade level, kindergarten through twelfth grade, with the courses available in
21 accordance with school policy and the charter school's charter to any student
22 enrolled in the charter school.

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

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

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

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

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

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

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

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

55 (6) The virtual course or virtual program architecture, software, and

56 hardware permit the online teacher or instructor to add content, activities, and
57 assessments to extend learning opportunities;

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

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

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

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

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

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

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

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

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

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

8 (b) That is under contract with a district or charter school that has
9 declared itself as a local educational agency and that meets standards established
10 by the state board of education;

11 shall be included in the district's or charter school's calculation of average daily
12 attendance. The total number of such pupils included in the district's or charter
13 school's calculation of average daily attendance shall not exceed four percent of
14 the total number of pupils who are eligible for free and reduced price lunch

15 between the ages of five and eighteen who are included in the district's or charter
16 school's calculation of average daily attendance.

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

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

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

34 (1) Whether a program offers full-day and full-year programming;

35 (2) Whether a program has teacher-to-child ratios consistent with
36 reasonable standards set by early childhood education program accrediting
37 agencies;

38 (3) Whether a program offers professional development supports for
39 educators and the type of supports offered;

40 (4) Whether a program uses appropriately credentialed educators;

41 (5) Whether a program uses an early childhood education curriculum that
42 has been approved by the department of elementary and secondary education and
43 whether the curriculum is developmentally appropriate; and

44 (6) Any other factor that the state board of education determines to be
45 significant in ensuring that children achieve high levels of kindergarten
46 readiness.

47 The state board of education shall require that staff members of any early
48 childhood education program that is under contract with a district or charter
49 school that has declared itself as a local educational agency undergo background
50 checks as described in section 168.133.

51 3. This section shall not require school attendance beyond that mandated
52 under section 167.031 and shall not change or amend the provisions of sections
53 160.051, 160.053, 160.054, and 160.055 relating to kindergarten attendance.

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

- 11 (1) Requirements for graduation from the school district or charter school;
- 12 (2) Career or postsecondary goals;
- 13 (3) Coursework or program of study related to career and postsecondary
14 goals, which shall include, if relevant, opportunities that the district or school
15 may not directly offer;
- 16 (4) Grade-appropriate and career-related experiences, as outlined in the
17 grade-level expectations of the Missouri comprehensive guidance program; and
- 18 (5) Student assessments, interest inventories, or academic results needed
19 to develop, review, and revise the personal plan of study, which shall include, if
20 relevant, assessments, inventories, or academic results that the school district or
21 charter school may not offer.

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

26 **3. Each student prior to the completion of the second semester**
27 **of his or her twelfth grade year shall include, as part of his or her**
28 **individual career and academic plan, a declaration as to his or her**
29 **postsecondary plans, including, but not limited to:**

- 30 **(1) Confirming employment upon graduation;**
- 31 **(2) Acceptance to an institution of higher education, whether a**
32 **two-year institution or a four-year institution;**
- 33 **(3) Acceptance to participate in a vocational, technical, or other**

34 training program designed to prepare the student for employment; or
35 (4) Commitment to enlist in the armed forces.

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

5 2. A student shall be exempt from the requirement to complete
6 or submit the Free Application for Federal Student Aid under
7 subsection 1 of this section if such student submits to the student's
8 school:

9 (1) Written confirmation of a commitment to enlist in the armed
10 forces; or

11 (2) A written document or form, signed by the student's parent
12 or guardian, attesting that he or she understands what the application
13 is and has chosen not to file such application.

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

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

20 (2) For the 2021-2022 school year, the department shall ensure
21 that seventy percent of all department of elementary and secondary
22 education area career centers that deliver career and technical

23 **education programs have the means and capability for students at such**
24 **schools to complete an application for aid through the United States**
25 **Department of Labor, Employment and Training Administration**
26 **pursuant to the federal Workforce Innovation and Opportunity Act.**

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

34 **(4) For the 2023-2024 school year and every school year**
35 **thereafter, the department shall ensure that one hundred percent of all**
36 **department of elementary and secondary education area career centers**
37 **that deliver career and technical education programs have the means**
38 **and capability for students at such schools to complete an application**
39 **for aid through the United States Department of Labor, Employment**
40 **and Training Administration pursuant to the federal Workforce**
41 **Innovation and Opportunity Act.**

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

15 (3) By the state board, which shall issue the professional certificate
16 classification in both the general and specialized areas most closely aligned with
17 the current areas of certification approved by the state board, commensurate with

18 the years of teaching experience of the applicant, and based upon the following
19 criteria:

20 (a) Recommendation of a state-approved baccalaureate-level teacher
21 preparation program;

22 (b) Successful attainment of the Missouri qualifying score on the exit
23 assessment for teachers or administrators designated by the state board of
24 education. Applicants who have not successfully achieved a qualifying score on
25 the designated examinations will be issued a two-year nonrenewable provisional
26 certificate; and

27 (c) Upon completion of a background check as prescribed in section
28 168.133 and possession of a valid teaching certificate in the state from which the
29 applicant's teacher preparation program was completed;

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

41 (5) By the state board, under rules and regulations prescribed by it, on
42 the basis of certification by the American Board for Certification of Teacher
43 Excellence (ABCTE) and verification of ability to work with children as
44 demonstrated by sixty contact hours in any one of the following areas as validated
45 by the school principal: sixty contact hours in the classroom, of which at least
46 forty-five must be teaching; sixty contact hours as a substitute teacher, with at
47 least thirty consecutive hours in the same classroom; sixty contact hours of
48 teaching in a private school; or sixty contact hours of teaching as a
49 paraprofessional, for an initial four-year ABCTE certificate of license to teach,
50 except that such certificate shall not be granted for the areas of early childhood
51 education, or special education. For certification in the area of elementary
52 education, ninety contact hours in the classroom shall be required, of which at
53 least thirty shall be in an elementary classroom. Upon the completion of the

54 requirements listed in paragraphs (a), (b), (c), and (d) of this subdivision, an
55 applicant shall be eligible to apply for a career continuous professional certificate
56 under subdivision (3) of subsection 3 of this section:

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

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

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

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

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

68 (a) Verification from the hiring school district that the applicant will be
69 employed [as part of a business-education partnership initiative designed] to
70 build career pathways systems for students in a grade or grades not lower than
71 the ninth grade for which the applicant's academic degree or professional
72 experience qualifies him or her;

73 (b) Appropriate and relevant bachelor's degree or higher, occupational
74 license, or industry-recognized credential;

75 (c) Completion of the application for a one-year visiting scholars
76 certificate; and

77 (d) Completion of a background check as prescribed under section 168.133.
78 The initial visiting scholars certificate shall certify the holder of such certificate
79 to teach for one year. An applicant shall be eligible to renew an initial visiting
80 scholars certificate a maximum of two times, based upon the completion of the
81 requirements listed under paragraphs (a), (b), and (d) of this subdivision;
82 completion of professional development required by the school district and school;
83 and attainment of a satisfactory performance-based teacher evaluation.

84 2. All valid teaching certificates issued pursuant to law or state board
85 policies and regulations prior to September 1, 1988, shall be exempt from the
86 professional development requirements of this section and shall continue in effect
87 until they expire, are revoked or suspended, as provided by law. When such
88 certificates are required to be renewed, the state board or its designee shall grant
89 to each holder of such a certificate the certificate most nearly equivalent to the

90 one so held. Anyone who holds, as of August 28, 2003, a valid PC-I, PC-II, or
91 continuous professional certificate shall, upon expiration of his or her current
92 certificate, be issued the appropriate level of certificate based upon the
93 classification system established pursuant to subsection 3 of this section.

94 3. (1) Certificates of license to teach in the public schools of the state
95 shall be based upon minimum requirements prescribed by the state board of
96 education which shall include completion of a background check as prescribed in
97 section 168.133. The state board shall provide for the following levels of
98 professional certification: an initial professional certificate and a career
99 continuous professional certificate.

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

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

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

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

113 (3) (a) The career continuous professional certificate shall be issued upon
114 verification of completion of four years of teaching under the initial professional
115 certificate and upon verification of the completion of the requirements articulated
116 in paragraphs (a), (b), and (c) of subdivision (2) of this subsection or paragraphs
117 (a), (b), (c), and (d) of subdivision (5) of subsection 1 of this section.

118 (b) The career continuous professional certificate shall be continuous
119 based upon verification of actual employment in an educational position as
120 provided for in state board guidelines and completion of fifteen contact hours of
121 professional development per year which may include hours spent in class in an
122 appropriate college curriculum. Should the possessor of a valid career continuous
123 professional certificate fail, in any given year, to meet the fifteen-hour
124 professional development requirement, the possessor may, within two years, make
125 up the missing hours. In order to make up for missing hours, the possessor shall

126 first complete the fifteen-hour requirement for the current year and then may
127 count hours in excess of the current year requirement as make-up hours. Should
128 the possessor fail to make up the missing hours within two years, the certificate
129 shall become inactive. In order to reactivate the certificate, the possessor shall
130 complete twenty-four contact hours of professional development which may
131 include hours spent in the classroom in an appropriate college curriculum within
132 the six months prior to or after reactivating his or her certificate. The
133 requirements of this paragraph shall be monitored and verified by the local school
134 district which employs the holder of the career continuous professional certificate.

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

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

141 b. Possesses a master's degree; or

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

144 4. Policies and procedures shall be established by which a teacher who
145 was not retained due to a reduction in force may retain the current level of
146 certification. There shall also be established policies and procedures allowing a
147 teacher who has not been employed in an educational position for three years or
148 more to reactivate his or her last level of certification by completing twenty-four
149 contact hours of professional development which may include hours spent in the
150 classroom in an appropriate college curriculum within the six months prior to or
151 after reactivating his or her certificate.

152 5. The state board shall, upon completion of a background check as
153 prescribed in section 168.133, issue a professional certificate classification in the
154 areas most closely aligned with an applicant's current areas of certification,
155 commensurate with the years of teaching experience of the applicant, to any
156 person who is hired to teach in a public school in this state and who possesses a
157 valid teaching certificate from another state or certification under subdivision (4)
158 of subsection 1 of this section, provided that the certificate holder shall annually
159 complete the state board's requirements for such level of certification, and shall
160 establish policies by which residents of states other than the state of Missouri
161 may be assessed a fee for a certificate of license to teach in the public schools of

162 Missouri. Such fee shall be in an amount sufficient to recover any or all costs
163 associated with the issuing of a certificate of license to teach. The board shall
164 promulgate rules to authorize the issuance of a provisional certificate of license,
165 which shall allow the holder to assume classroom duties pending the completion
166 of a criminal background check under section 168.133, for any applicant who:

167 (1) Is the spouse of a member of the Armed Forces stationed in Missouri;

168 (2) Relocated from another state within one year of the date of
169 application;

170 (3) Underwent a criminal background check in order to be issued a
171 teaching certificate of license from another state; and

172 (4) Otherwise qualifies under this section.

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

182 7. Any member of the public school retirement system of Missouri who
183 entered covered employment with ten or more years of educational experience in
184 another state or states and held a certificate issued by another state and
185 subsequently worked in a school district covered by the public school retirement
186 system of Missouri for ten or more years who later became certificated in
187 Missouri shall have that certificate dated back to his or her original date of
188 employment in a Missouri public school.

169.596. 1. Notwithstanding any other provision of this chapter to the
2 contrary, a retired certificated teacher receiving a retirement benefit from the
3 retirement system established pursuant to sections 169.010 to 169.141 may,
4 without losing his or her retirement benefit, **[teach] be employed** full time for
5 up to **[two] four** years for a school district covered by such retirement system;
6 provided that the school district has a shortage of certified teachers, as
7 determined by the school district[, and provided that no such retired certificated
8 teacher shall be employed as a superintendent. The total number of such retired
9 certificated teachers shall not exceed, at any one time, the lesser of ten percent

10 of the total teacher staff for that school district, or five certificated teachers]. A
11 **retired certificated teacher receiving a retirement benefit from the**
12 **retirement system established pursuant to sections 169.010 to 169.141**
13 **may only be employed as a superintendent under this subsection if he**
14 **or she has been retired for at least twelve months prior to such**
15 **employment, unless such employment is immediately necessary due to**
16 **death, disability, or termination for cause of the superintendent who**
17 **held the position being filled.**

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

27 3. **The total number of retired members working for a school**
28 **district under subsections 1 and 2 of this section shall not exceed, at**
29 **any one time, the lesser of ten percent of the total number of employees**
30 **for that district or ten employees.**

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

33 [4.] 5. In order to hire teachers and noncertificated employees pursuant
34 to the provisions of this section, the school district shall:

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

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

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

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

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

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

46 [5.] 6. Any person hired pursuant to this section shall be included in the
47 State Directory of New Hires for purposes of income and eligibility verification
48 pursuant to 42 U.S.C. Section 1320b-7.

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