

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 281**  
**92ND GENERAL ASSEMBLY**

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Reported from the Committee on Education, February 20, 2003, with recommendation that the House Committee Substitute for House Bill No. 281 Do Pass.

STEPHEN S. DAVIS, Chief Clerk

0721L.05C

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**AN ACT**

To repeal sections 161.092 and 168.021, RSMo, and to enact in lieu thereof two new sections relating to certificates of license to teach.

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

Section A. Sections 161.092 and 168.021, RSMo, are repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 161.092 and 168.021, to read as follows:

161.092. The state board of education shall:

- 2 (1) Adopt rules governing its own proceedings and formulate policies for the guidance  
3 of the commissioner of education and the department of elementary and secondary education;  
4 (2) Carry out the educational policies of the state relating to public schools that are  
5 provided by law and supervise instruction in the public schools;  
6 (3) Direct the investment of all moneys received by the state to be applied to the capital  
7 of any permanent fund established for the support of public education within the jurisdiction of  
8 the department of elementary and secondary education and see that the funds are applied to the  
9 branches of educational interest of the state that by grant, gift, devise or law they were originally  
10 intended, and if necessary institute suit for and collect the funds and return them to their  
11 legitimate channels;  
12 (4) Cause to be assembled information which will reflect continuously the condition and  
13 management of the public schools of the state;  
14 (5) Require of county clerks or treasurers, boards of education or other school officers,  
15 recorders and treasurers of cities, towns and villages, copies of all records required to be made

**EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is proposed language.**

16 by them and all other information in relation to the funds and condition of schools and the  
17 management thereof that is deemed necessary;

18 (6) Provide blanks suitable for use by officials in reporting the information required by  
19 the board;

20 (7) When conditions demand, cause the laws relating to schools to be published in a  
21 separate volume, with pertinent notes and comments, for the guidance of those charged with the  
22 execution of the laws;

23 (8) Grant[, without fee,] certificates of qualification and licenses to teach in any of the  
24 public schools of the state **for a fee not to exceed the cost of issuance, exclusive of the cost of**  
25 **any criminal background check required as a condition of licensure, such fee to be**  
26 **deposited into the excellence in education revolving fund established pursuant to section**  
27 **160.268, RSMo**, establish requirements therefor, formulate regulations governing the issuance  
28 thereof, [including, upon an appropriate background check, provisional certification to a person  
29 who holds a valid teaching certificate from another state and has five years of teaching  
30 experience in the same school district in the curriculum area and approximate grade level in  
31 another state, providing for full certification upon the satisfactory completion of five years of  
32 teaching in Missouri public schools,] and cause the certificates to be revoked for the reasons and  
33 in the manner provided in section 168.071, RSMo;

34 (9) Classify the public schools of the state, subject to limitations provided by law,  
35 establish requirements for the schools of each class, and formulate rules governing the inspection  
36 and accreditation of schools preparatory to classification;

37 (10) Make an annual report on or before the first Wednesday after the first day of January  
38 to the general assembly or, when it is not in session, to the governor for publication and  
39 transmission to the general assembly. The report shall be for the last preceding school year, and  
40 shall include:

41 (a) A statement of the number of public schools in the state, the number of pupils  
42 attending the schools, their sex, and the branches taught;

43 (b) A statement of the number of teachers employed, their sex, their professional  
44 training, and their average salary;

45 (c) A statement of the receipts and disbursements of public school funds of every  
46 description, their sources, and the purposes for which they were disbursed;

47 (d) Suggestions for the improvement of public schools; and

48 (e) Any other information relative to the educational interests of the state that the law  
49 requires or the board deems important;

50 (11) Make an annual report to the general assembly and the governor concerning  
51 coordination with other agencies and departments of government that support family literacy

52 programs and other services which influence educational attainment of children of all ages;

53 (12) Require from the chief officer of each division of the department of elementary and  
54 secondary education, on or before the thirty-first day of August of each year, reports containing  
55 information the board deems important and desires for publication;

56 (13) Cause fifty copies of its annual report to be reserved for the use of each division of  
57 the state department of elementary and secondary education, and ten copies for preservation in  
58 the state library;

59 (14) Have other powers and duties prescribed by law.

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 doctor of philosophy degree from an accredited institution of higher  
9 education accredited by a regional accrediting association such as North Central Association.  
10 Such certificate shall be limited to the major area of postgraduate study of the holder, shall be  
11 issued only after successful completion of the examination required for graduation pursuant to  
12 section 168.033 if appropriate, and shall be restricted to those certificates established pursuant  
13 to subdivisions (1) and (2) of subsection [4] 3 of this section; or

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 and possession of a valid teaching certificate  
25 in the state from which the applicant's teacher preparation program was completed.

26 2. All valid teaching certificates issued pursuant to law or state board policies and  
27 regulations prior to September 1, 1988, shall **be exempt from the professional development**  
28 **requirements articulated in subdivision (2) of subsection 3 of this section and shall continue**

29 in effect until they expire, are revoked or suspended, as provided by law. When such certificates  
30 are required to be renewed, the state board or its designee shall grant to each holder of such a  
31 certificate the certificate most nearly equivalent to the one so held. **Anyone who currently**  
32 **holds a valid PC-I, PC-II, or continuous professional certificate and meets the standards**  
33 **of the two-tier classification system articulated in subsection 4 of this section on August 28,**  
34 **2003, shall be issued a career continuous professional certificate.**

35 3. [Any teacher holding a third class county certificate in the state during the 1972-73  
36 school year shall upon his written request be given an examination by a person designated by the  
37 state commissioner of education to determine his eligibility to be granted a certificate of license  
38 to teach. The examination shall be comparable to those given by county superintendents to  
39 eligible applicants prior to July 1, 1974. Upon successful completion of the examination the  
40 applicant shall be issued a certificate by the state board of education entitling the holder to teach  
41 in the public schools of the state for a period of three years. A request for such examination must  
42 be presented to the commissioner of education on or before March first of the year in which the  
43 examination is to be administered. The commissioner of education shall cause the examination  
44 to be administered and the certificate issued to those successfully completing it prior to April  
45 first of the year in which the application for the examination was received.

46 4. After September 1, 1988,] Certificates of license to teach in the public schools of the  
47 state shall be based upon minimum requirements prescribed by the state board of education  
48 [which]. **The state board** shall provide for **the following two** levels of **professional**  
49 certification [including, but not limited to,]: an initial professional certificate and [culminating  
50 with] a **career** continuous professional certificate:

51 (1) The initial professional certificate shall be issued upon completion of requirements  
52 established by the state board of education and shall be valid based upon verification of actual  
53 teaching within a specified time period established by the state board of education[;]. **The state**  
54 **board shall require holders of the four year initial professional certificate to:**

55 (a) **Participate in a mentoring program approved and provided by the district for**  
56 **a minimum of two years;**

57 (b) **Complete thirty contact hours of professional development, which may include**  
58 **hours spent in class in an appropriate college curriculum; and**

59 (c) **Participate in a beginning teacher assistance program;**

60 (2) [One or more levels of renewable professional certificates shall be issued upon  
61 verification of completion of criteria established by the state board of education;

62 (3)] The **career** continuous professional certificate shall be issued upon verification of  
63 completion of [criteria, which shall not exceed a master's degree or its equivalent and ten years'  
64 employment in an educational position, established by the state board of education] **four years**

65 **of teaching under the initial professional certificate and upon verification of the completion**  
66 **of the requirements articulated in paragraphs (a), (b), and (c) of subdivision (1) of this**  
67 **subsection.** The career continuous professional certificate shall be continuous based upon  
68 verification of actual employment in an educational position as provided for in state board  
69 guidelines **and completion of fifteen contact hours of professional development per year,**  
70 **which may include hours spent in class in an appropriate college curriculum. Should the**  
71 **possessor of a valid career continuous professional certificate fail, in any given year, to**  
72 **meet the fifteen-hour professional development requirement, the possessor may, within two**  
73 **years, make up the missing hours. In order to make up for missing hours, the possessor**  
74 **must first complete the fifteen-hour requirement for the current year and then may count**  
75 **hours in excess of the current year requirement as make-up hours. Should the possessor**  
76 **fail to make up the missing hours within two years, the certificate shall become inactive.**

77 [5.] 4. Policies and procedures shall be established by which a teacher who was not  
78 retained due to a reduction in force may retain the current level of certification. There shall also  
79 be established policies and procedures [for] **allowing** a teacher who has not been employed in  
80 an educational position for three years or more [for reasons other than reduction in force.] **to**  
81 **reactivate his or her last level of certification by completing twenty-four contact hours of**  
82 **professional development within the six months prior to or after reactivating his or her**  
83 **certificate.**

84 [6.] 5. The state board shall, **upon an appropriate background check, issue a**  
85 **professional certificate classification in the areas most closely aligned with an applicant's**  
86 **current areas of certification, commensurate with the years of teaching experience of the**  
87 **applicant, to any person who is hired to teach in a public school in this state and who**  
88 **possesses a valid teaching certificate from another state, provided that the certificate**  
89 **holder shall annually complete the state board's requirements for such level of**  
90 **certification, and shall** establish policies by which residents of states other than the state of  
91 Missouri may be assessed a fee for a certificate license to teach in the public schools of Missouri.  
92 Such fee shall be in an amount sufficient to recover any or all costs associated with the issuing  
93 of a certificate of license to teach.

94 [7.] 6. Any member of the public school retirement system of Missouri who entered  
95 covered employment with ten or more years of educational experience in another state or states  
96 and held a certificate issued by another state and subsequently worked in a school district  
97 covered by the public school retirement system of Missouri for ten or more years who later  
98 became certificated in Missouri shall have that certificate dated back to his or her original date  
99 of employment in a Missouri public school.