

FIRST REGULAR SESSION

HOUSE BILL NO. 281

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES MOORE, WALTON, DETHROW, PURGASON, WALLACE, HOLAND, BLACK, KELLY (36), CRAWFORD, DEEKEN, SCHLOTTACH, GUEST, BAKER, BOUGH, WILSON (119), HAYWOOD, WILSON (130), SHOEMAKER (8), SMITH (14), PARKER, DIXON, SHOEMYER (9), RUPP, HOSKINS, EMERY (Co-sponsors), REINHART, LUETKEMEYER, HAMPTON, GOODMAN, DEMPSEY, DAVIS (122), SANDER, MAY, HARRIS (23), BYRD, HOBBS, QUINN, MILLER, FARES, SUTHERLAND, BEARDEN, DUSENBERG, PRATT, COOPER (120), CUNNINGHAM (86), BROWN, RICHARD, YATES, BIVINS, BEHNEN, LEMBKE (85), STEFANICK, KELLY (144), COOPER (155), KING, SELF, MUNZLINGER, SANDERS BROOKS, WASSON, STEVENSON, ERVIN, TAYLOR, ENGLER, SCHNEIDER, WRIGHT, MERIDETH, WILSON (42), WITTE, BOYKINS AND JONES.

Read 1st time January 23, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0721L.03I

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, with penalty provisions.

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Section A. Sections 161.092 and 168.021, RSMo, are repealed and two new sections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

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 new proposed language.

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
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) **Notwithstanding the provisions of section 168.021, RSMo**, grant, without fee,
24 certificates of qualification and licenses to teach in any of the public schools of the state,
25 establish requirements therefor, formulate regulations governing the issuance thereof, [including,
26 upon an appropriate background check, provisional certification to a person who holds a valid
27 teaching certificate from another state and has five years of teaching experience in the same
28 school district in the curriculum area and approximate grade level in another state, providing for
29 full certification upon the satisfactory completion of five years of teaching in Missouri public
30 schools,] and cause the certificates to be revoked for the reasons and in the manner provided in
31 section 168.071, RSMo;

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

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

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

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

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

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

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

48 (11) Make an annual report to the general assembly and the governor concerning
49 coordination with other agencies and departments of government that support family literacy
50 programs and other services which influence educational attainment of children of all ages;

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

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

57 (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 **valid for the life span of the possessor, notwithstanding the provisions of section 168.071,**
3 **and shall be** granted as follows:

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

5 (a) Upon the basis of college credit;

6 (b) Upon the basis of examination;

7 (2) By the state board, under rules and regulations prescribed by the state board with
8 advice from the advisory council established by section 168.015 to any individual who presents
9 to the state board a valid doctor of philosophy degree from an accredited institution of higher
10 education accredited by a regional accrediting association such as North Central Association.
11 Such certificate shall be limited to the major area of postgraduate study of the holder, shall be
12 issued only after successful completion of the examination required for graduation pursuant to
13 section 168.033 if appropriate, and shall be restricted to those certificates established pursuant
14 to subdivisions (1) and (2) of subsection 4 of this section; or

15 (3) By the state board, which shall issue [the professional certificate classification in both
16 the general and specialized areas most closely aligned with the current areas of certification
17 approved by the state board, commensurate with the years of teaching experience of the
18 applicant, and] **lifetime certificates of license to teach, which, notwithstanding the provisions**
19 **of section 168.071, shall be valid for the life span of the possessor** based upon the following
20 criteria:

21 (a) Recommendation of a state-approved baccalaureate-level teacher preparation
22 program; **and**

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

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

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

29 2. All valid teaching certificates issued pursuant to law or state board policies and
30 regulations prior to September 1, 1988, shall continue in effect until they expire, are revoked or
31 suspended, as provided by law. When such certificates are required to be renewed, the state
32 board or its designee shall grant to each holder of such a certificate the certificate most nearly
33 equivalent to the one so held.

34 3. Any teacher holding a third class county certificate in the state during the 1972-73
35 school year shall upon his written request be given an examination by a person designated by the
36 state commissioner of education to determine his eligibility to be granted a certificate of license
37 to teach. The examination shall be comparable to those given by county superintendents to
38 eligible applicants prior to July 1, 1974. Upon successful completion of the examination the
39 applicant shall be issued a **lifetime certificate of license to teach** by the state board of education
40 [entitling the holder to teach in the public schools of the state for a period of three years]. A
41 request for such examination must be presented to the commissioner of education on or before
42 March first of the year in which the examination is to be administered. The commissioner of
43 education shall cause the examination to be administered and the certificate issued to those
44 successfully completing it prior to April first of the year in which the application for the
45 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 shall provide for levels of certification including, but not limited to, an initial professional
49 certificate and culminating with a continuous professional certificate:

50 (1) The initial professional certificate shall be issued upon completion of requirements
51 established by the state board of education and shall be valid based upon verification of actual
52 teaching within a specified time period established by the state board of education;

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

55 (3) The continuous professional certificate shall be issued upon verification of
56 completion of criteria, which shall not exceed a master's degree or its equivalent and ten years'
57 employment in an educational position, established by the state board of education. The
58 continuous professional certificate shall be continuous based upon verification of actual
59 employment in an educational position as provided for in state board guidelines.

60 5. Policies and procedures shall be established by which a teacher who was not retained

61 due to a reduction in force may retain the current level of certification. There shall also be
62 established policies and procedures for a teacher who has not been employed in an educational
63 position for three years or more for reasons other than reduction in force.] **Any person who**
64 **holds a valid life classification, professional classification I, professional classification II**
65 **or a continuous professional classification certificate of license to teach in the public**
66 **schools of this state on August 28, 2003, shall be issued a lifetime certificate of license to**
67 **teach in the public schools of this state which shall be valid for the life span of that person,**
68 **except said certificates may be revoked pursuant to section 168.071.**

69 [6.] **5.** The state board shall, **upon an appropriate background check, grant lifetime**
70 **certificates of license to teach, which, notwithstanding the provisions of section 168.071,**
71 **shall be valid for the life span of the possessor, to any person who is hired to teach in a**
72 **public school in this state and who possesses a valid teaching certificate from another state**
73 **and shall** establish policies by which residents of states other than the state of Missouri may be
74 assessed a fee for a certificate license to teach in the public schools of Missouri. Such fee shall
75 be in an amount sufficient to recover any or all costs associated with the issuing of a certificate
76 of license to teach.

77 [7.] **6.** Any member of the public school retirement system of Missouri who entered
78 covered employment with ten or more years of educational experience in another state or states
79 and held a certificate issued by another state and subsequently worked in a school district
80 covered by the public school retirement system of Missouri for ten or more years who later
81 became certificated in Missouri shall have that certificate dated back to his or her original date
82 of employment in a Missouri public school.