

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 492,
2 Pages 1 and 2, Section 161.097, Lines 1 to 30, by deleting all of said lines and inserting in lieu
3 thereof the following:
4

5 "161.097. 1. The state board of education and the coordinating board for higher education
6 shall jointly establish standards and procedures by which [it] they will evaluate all teacher training
7 institutions in this state [for the approval of teacher education programs. The state board of
8 education shall not require teacher training institutions to meet national or regional accreditation as a
9 part of its standards and procedures in making those evaluations, but it may accept such
10 accreditations in lieu of such approval if standards and procedures set thereby are at least as stringent
11 as those set by the board. The state board of education's standards and procedures for evaluating
12 teacher training institutions shall equal or exceed those of national or regional accrediting
13 associations.] with the guidance and approval of the Missouri advisory board for educator
14 preparation established under subsection 3 of this section. Notwithstanding any other provision of
15 law, the state board of education and the coordinating board of higher education shall approve all
16 teacher education programs and any changes to the standard and procedures by which such programs
17 are evaluated.

18 2. With regard to requirements for state educator certification, any assessments of general
19 education, content knowledge, pedagogical knowledge, dispositions, or any other measures required
20 for state educator certification and any related competencies shall be approved by the state board of
21 education and the coordinating board for higher education prior to utilization in any manner. Any
22 assessment used to measure student learning that is used in the evaluation of educator preparation
23 programs and any related competencies shall be approved by the state board of education and the
24 coordinating board for higher education prior to utilization in any manner. All current assessments
25 and competencies and those under development, as well as future competencies and assessments
26 shall be approved by the state board of education and the coordinating board for higher education
27 prior to utilization in any manner. Qualifying scores on such assessments shall be established jointly
28 by the state board of education and the coordinating board for higher education. No quotas on
29 educator preparation programs or limits on program size shall be imposed by the state board of
30 education without consent of the coordinating board for higher education and the institution of
31 higher education providing the program. However, institutions of higher education may establish
32 quotas for specific educator preparation programs as deemed necessary.

33 3. There is hereby established within the department of elementary and secondary education
34 the "Missouri Advisory Board for Educator Preparation", hereinafter referred to as "MABEP". The
35 MABEP shall advise the state board of education and the coordinating board for higher education as
36 provided in this section and foster meaningful and substantial collaboration and transparency among

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1 all stakeholders in the interest of improving the quality of teacher preparation in Missouri.

2 4. MABEP shall be comprised of fourteen members, who shall be appointed to serve as
 3 follows: five members to be appointed by the state board of education upon the recommendation of
 4 the commissioner of elementary and secondary education, two members selected by the
 5 commissioner of elementary and secondary education, five members to be selected by the
 6 coordinating board of higher education upon the recommendation of the commissioner of higher
 7 education, and two members to be selected by the commissioner of higher education. The
 8 commissioner of elementary and secondary education and the commissioner of higher education
 9 shall serve as ex officio members and thus shall not vote on matters before MABEP.

10 5. The composition of MABEP shall consist of the following:

11 (1) One practicing certificated public school teacher who has served as a cooperating
 12 teacher, selected by the state board of education upon the recommendation of the commissioner of
 13 elementary and secondary education;

14 (2) One practicing certified public school administrator with direct responsibility for the
 15 evaluation of educators, selected by the state board of education upon the recommendation of the
 16 commissioner of elementary and secondary education;

17 (3) One practicing human resource director for a public school district with direct
 18 responsibility for hiring, selected by the state board of education upon the recommendation of the
 19 commissioner of elementary and secondary education;

20 (4) One practicing certificated public school teacher who has served as a teacher mentor,
 21 selected by the state board of education upon the recommendation of the commissioner of
 22 elementary and secondary education;

23 (5) One practicing certified superintendent of a public school, selected by the state board of
 24 education upon the recommendation of the commissioner of elementary and secondary education;

25 (6) One representative of the public, to be appointed by the commissioner of elementary and
 26 secondary education. This representative shall not be a member of a local school board of education
 27 or educator preparation governing board, nor shall he or she be, or ever in the past have been,
 28 employed as a public school educator, or in a professional position at any post-secondary education
 29 program;

30 (7) One employee of the department of elementary and secondary education whose
 31 responsibilities include educator preparation and/or certification, selected by the commissioner of
 32 elementary and secondary education;

33 (8) One faculty member or administrator within an approved educator preparation program,
 34 selected by the coordinating board of higher education upon the recommendation of the
 35 commissioner of higher education;

36 (9) One dean or director of a college or program of educator preparation for a public
 37 four-year university, selected by the coordinating board of higher education upon the
 38 recommendation of the commissioner of higher education;

39 (10) One director of an educator preparation program of a public community college,
 40 selected by the coordinating board of higher education upon the recommendation of the
 41 commissioner of higher education;

42 (11) One dean of a college of education or director of an educator preparation program of an
 43 independent college or university, selected by the coordinating board of higher education upon the
 44 recommendation of the commissioner of higher education;

45 (12) One dean or director within an approved educator preparation, selected by the
 46 coordinating board of higher education upon the recommendation of the commissioner of higher
 47 education;

48 (13) One student enrolled in an approved program of educator preparation of public or

1 independent university, selected by the commissioner of higher education;

2 (14) One employee of the department of higher education with responsibility for the
 3 approval of degree programs; selected by the commissioner of higher education;

4 6. The duties and responsibilities of the MABEP shall include, but not be limited to the
 5 following:

6 (1) Meet with the commissioners of elementary and secondary education and higher
 7 education to discuss policy issues and proposed changes to standards and practices related to
 8 educator preparation programs;

9 (2) Make public recommendations to the commissioners of elementary and secondary
 10 education and higher education regarding the criteria and procedures for evaluation and approval of
 11 educator degree programs and educator preparation programs within the state;

12 (3) Facilitate communication by inviting subject matter and educator preparation experts and
 13 constituencies with an interest in developing highly effective educators to meet with the MABEP for
 14 the purpose of identifying, reviewing and promoting best practices and standards in educator
 15 preparation and professional development;

16 (4) Present annually to the state board of education and coordinating board for higher
 17 education to discuss matters of mutual interest in the area of educator preparation as presented by the
 18 rotating chairs of MABEP; and

19 (5) Maintain a record of deliberations for the purpose of keeping constituent groups with an
 20 interest in the maintenance of quality education preparation programs informed of issues and
 21 recommendations.

22 7. MABEP shall meet at least two times annually, but may meet more frequently if requested
 23 by either board, the commissioner of elementary and secondary education or the commissioner of
 24 higher education. MABEP shall be chaired by the commissioner of elementary and secondary
 25 education (or designee) and the commissioner of higher education (or designee) on alternating years.

26 [2.] 8. Upon approval by the state board of education of the teacher education program at a
 27 particular teacher training institution, any person who graduates from that program, and who meets
 28 other requirements which the state board of education shall prescribe by rule, regulation and statute
 29 shall be granted a certificate or license to teach in the public schools of this state. The state board of
 30 education shall not approve any teacher education program prior to receiving a formal
 31 recommendation on that approval from the coordinating board for higher education. However, no
 32 such rule or regulation shall require that the program from which the person graduates be accredited
 33 by any national or regional accreditation association.

34 [3.] 9. Notwithstanding any provision in the law to the contrary, the state board of education
 35 may accredit a graduate law school and any graduate of such an accredited law school shall be
 36 allowed to take the examination for admission to the bar of Missouri."; and

37
 38 Further amend said bill, Page 5, Section 163.191, Line 108, by inserting after all of said line the
 39 following:
 40

41 "173.005. 1. There is hereby created a "Department of Higher Education", and the division
 42 of higher education of the department of education is abolished and all its powers, duties, functions,
 43 personnel and property are transferred as provided by the Reorganization Act of 1974, Appendix B,
 44 RSMo.

45 2. The commission on higher education is abolished and all its powers, duties, personnel and
 46 property are transferred by type I transfer to the "Coordinating Board for Higher Education", which
 47 is hereby created, and the coordinating board shall be the head of the department. The coordinating
 48 board shall consist of nine members appointed by the governor with the advice and consent of the

senate, and not more than five of its members shall be of the same political party. None of the members shall be engaged professionally as an educator or educational administrator with a public or private institution of higher education at the time appointed or during his term. Moreover, no person shall be appointed to the coordinating board who shall not be a citizen of the United States, and who shall not have been a resident of the state of Missouri two years next prior to appointment, and at least one but not more than two persons shall be appointed to said board from each congressional district. The term of service of a member of the coordinating board shall be six years and said members, while attending the meetings of the board, shall be reimbursed for their actual expenses.

Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011, from completing his or her term. The coordinating board may, in order to carry out the duties prescribed for it in subsections 1, 2, 3, 7, and 8 of this section, employ such professional, clerical and research personnel as may be necessary to assist it in performing those duties, but this staff shall not, in any fiscal year, exceed twenty-five full-time equivalent employees regardless of the source of funding. In addition to all other powers, duties and functions transferred to it, the coordinating board for higher education shall have the following duties and responsibilities:

(1) The coordinating board for higher education shall have approval of proposed new degree programs to be offered by the state institutions of higher education. In the case of educator preparation programs, the coordinating board for higher education and the state board of education shall jointly approve proposed new degree programs offered by state institutions of higher education;

(2) The coordinating board for higher education may promote and encourage the development of cooperative agreements between Missouri public four-year institutions of higher education which do not offer graduate degrees and Missouri public four-year institutions of higher education which do offer graduate degrees for the purpose of offering graduate degree programs on campuses of those public four-year institutions of higher education which do not otherwise offer graduate degrees. Such agreements shall identify the obligations and duties of the parties, including assignment of administrative responsibility. Any diploma awarded for graduate degrees under such a cooperative agreement shall include the names of both institutions inscribed thereon. Any cooperative agreement in place as of August 28, 2003, shall require no further approval from the coordinating board for higher education. Any costs incurred with respect to the administrative provisions of this subdivision may be paid from state funds allocated to the institution assigned the administrative authority for the program. The provisions of this subdivision shall not be construed to invalidate the provisions of subdivision (1) of this subsection;

(3) In consultation with the heads of the institutions of higher education affected and against a background of carefully collected data on enrollment, physical facilities, manpower needs, and institutional missions, the coordinating board for higher education shall establish guidelines for appropriation requests by those institutions of higher education; however, other provisions of the Reorganization Act of 1974 notwithstanding, all funds shall be appropriated by the general assembly to the governing board of each public four-year institution of higher education which shall prepare expenditure budgets for the institution;

(4) No new state-supported senior colleges or residence centers shall be established except as provided by law and with approval of the coordinating board for higher education;

(5) The coordinating board for higher education shall establish admission guidelines consistent with institutional missions;

(6) The coordinating board for higher education shall require all public two-year and four-year higher education institutions to replicate best practices in remediation identified by the coordinating board and institutions from research undertaken by regional educational laboratories, higher education research organizations, and similar organizations with expertise in the subject, and

1 identify and reduce methods that have been found to be ineffective in preparing or retaining students
2 or that delay students from enrollment in college-level courses;

3 (7) The coordinating board shall establish policies and procedures for institutional decisions
4 relating to the residence status of students;

5 (8) The coordinating board shall establish guidelines to promote and facilitate the transfer of
6 students between institutions of higher education within the state and, with the assistance of the
7 committee on transfer and articulation, shall require all public two-year and four-year higher
8 education institutions to create by July 1, 2014, a statewide core transfer library of at least
9 twenty-five lower division courses across all institutions that are transferable among all public higher
10 education institutions. The coordinating board shall establish policies and procedures to ensure such
11 courses are accepted in transfer among public institutions and treated as equivalent to similar courses
12 at the receiving institutions. The coordinating board shall develop a policy to foster reverse transfer
13 for any student who has accumulated enough hours in combination with at least one public higher
14 education institution in Missouri that offers an associate degree and one public four-year higher
15 education institution in the prescribed courses sufficient to meet the public higher education
16 institution's requirements to be awarded an associate degree. The department of elementary and
17 secondary education shall maintain the alignment of the assessments found in section 160.518 and
18 successor assessments with the competencies previously established under this subdivision for
19 entry-level collegiate courses in English, mathematics, foreign language, sciences, and social
20 sciences associated with an institution's general education core;

21 (9) The coordinating board shall collect the necessary information and develop comparable
22 data for all institutions of higher education in the state. The coordinating board shall use this
23 information to delineate the areas of competence of each of these institutions and for any other
24 purposes deemed appropriate by the coordinating board;

25 (10) Compliance with requests from the coordinating board for institutional information and
26 the other powers, duties and responsibilities, herein assigned to the coordinating board, shall be a
27 prerequisite to the receipt of any funds which the coordinating board is responsible for
28 administering;

29 (11) If any institution of higher education in this state, public or private, willfully fails or
30 refuses to follow any lawful guideline, policy or procedure established or prescribed by the
31 coordinating board, or knowingly deviates from any such guideline, or knowingly acts without
32 coordinating board approval where such approval is required, or willfully fails to comply with any
33 other lawful order of the coordinating board, the coordinating board may, after a public hearing,
34 withhold or direct to be withheld from that institution any funds the disbursement of which is subject
35 to the control of the coordinating board, or may remove the approval of the institution as an
36 approved institution within the meaning of section 173.1102. If any such public institution willfully
37 disregards board policy, the commissioner of higher education may order such institution to remit a
38 fine in an amount not to exceed one percent of the institution's current fiscal year state operating
39 appropriation to the board. The board shall hold such funds until such time that the institution, as
40 determined by the commissioner of higher education, corrects the violation, at which time the board
41 shall refund such amount to the institution. If the commissioner determines that the institution has
42 not redressed the violation within one year, the fine amount shall be deposited into the general
43 revenue fund, unless the institution appeals such decision to the full coordinating board, which shall
44 have the authority to make a binding and final decision, by means of a majority vote, regarding the
45 matter. However, nothing in this section shall prevent any institution of higher education in this state
46 from presenting additional budget requests or from explaining or further clarifying its budget
47 requests to the governor or the general assembly; and

48 (12) (a) As used in this subdivision, the term "out-of-state public institution of higher

1 education" shall mean an education institution located outside of Missouri that:

- 2 a. Is controlled or administered directly by a public agency or political subdivision or is
- 3 classified as a public institution by the state;
- 4 b. Receives appropriations for operating expenses directly or indirectly from a state other
- 5 than Missouri;
- 6 c. Provides a postsecondary course of instruction at least six months in length leading to or
- 7 directly creditable toward a degree or certificate;
- 8 d. Meets the standards for accreditation by an accrediting body recognized by the United
- 9 States Department of Education or any successor agency; and
- 10 e. Permits faculty members to select textbooks without influence or pressure by any religious
- 11 or sectarian source.

12 (b) No later than July 1, 2008, the coordinating board shall promulgate rules regarding:

13 a. The board's approval process of proposed new degree programs and course offerings by

14 any out-of-state public institution of higher education seeking to offer degree programs or course

15 work within the state of Missouri; and

16 b. The board's approval process of degree programs and courses offered by any out-of-state

17 public institutions of higher education that, prior to July 1, 2008, were approved by the board to

18 operate a school in compliance with the provisions of sections 173.600 to 173.618. The rules shall

19 ensure that, as of July 1, 2008, all out-of-state public institutions seeking to offer degrees and courses

20 within the state of Missouri are evaluated in a manner similar to Missouri public higher education

21 institutions. Such out-of-state public institutions shall be held to standards no lower than the

22 standards established by the coordinating board for program approval and the policy guidelines of

23 the coordinating board for data collection, cooperation, and resolution of disputes between Missouri

24 institutions of higher education under this section. Any such out-of-state public institutions of higher

25 education wishing to continue operating within this state must be approved by the board under the

26 rules promulgated under this subdivision. The coordinating board may charge and collect fees from

27 out-of-state public institutions to cover the costs of reviewing and assuring the quality of programs

28 offered by out-of-state public institutions. Any rule or portion of a rule, as that term is defined in

29 section 536.010, that is created under the authority delegated in this section shall become effective

30 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,

31 section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with

32 the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and

33 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any

34 rule proposed or adopted after August 28, 2007, shall be invalid and void.

35 (c) Nothing in this subdivision or in section 173.616 shall be construed or interpreted so that

36 students attending an out-of-state public institution are considered to be attending a Missouri public

37 institution of higher education for purposes of obtaining student financial assistance.

38 3. The coordinating board shall meet at least four times annually with an advisory committee

39 who shall be notified in advance of such meetings. The coordinating board shall have exclusive

40 voting privileges. The advisory committee shall consist of thirty-two members, who shall be the

41 president or other chief administrative officer of the University of Missouri; the chancellor of each

42 campus of the University of Missouri; the president of each state-supported four-year college or

43 university, including Harris-Stowe State University, Missouri Southern State University, Missouri

44 Western State University, and Lincoln University; the president of State Technical College of

45 Missouri; the president or chancellor of each public community college district; and representatives

46 of each of five accredited private institutions selected biennially, under the supervision of the

47 coordinating board, by the presidents of all of the state's privately supported institutions; but always

48 to include at least one representative from one privately supported community college, one privately

1 supported four-year college, and one privately supported university. The conferences shall enable
2 the committee to advise the coordinating board of the views of the institutions on matters within the
3 purview of the coordinating board.

4 4. The University of Missouri, Lincoln University, and all other state-governed colleges and
5 universities, chapters 172, 174, 175, and others, are transferred by type III transfers to the
6 department of higher education subject to the provisions of subsection 2 of this section.

7 5. The state historical society, chapter 183, is transferred by type III transfer to the
8 University of Missouri.

9 6. The state anatomical board, chapter 194, is transferred by type II transfer to the
10 department of higher education.

11 7. All the powers, duties and functions vested in the division of public schools and state
12 board of education relating to community college state aid and the supervision, formation of districts
13 and all matters otherwise related to the state's relations with community college districts and matters
14 pertaining to community colleges in public school districts, chapters 163, 178, and others, are
15 transferred to the coordinating board for higher education by type I transfer. Provided, however, that
16 all responsibility for administering the federal-state programs of vocational-technical education,
17 except for the 1202a postsecondary educational amendments of 1972 program, shall remain with the
18 department of elementary and secondary education. The department of elementary and secondary
19 education and the coordinating board for higher education shall cooperate in developing the various
20 plans for vocational-technical education; however, the ultimate responsibility will remain with the
21 state board of education.

22 8. All the powers, duties, functions, and properties of the state poultry experiment station,
23 chapter 262, are transferred by type I transfer to the University of Missouri, and the state poultry
24 association and state poultry board are abolished. In the event the University of Missouri shall cease
25 to use the real estate of the poultry experiment station for the purposes of research or shall declare
26 the same surplus, all real estate shall revert to the governor of the state of Missouri and shall not be
27 disposed of without legislative approval."; and
28

29 Further amend said bill by amending the title, enacting clause, and intersectional references
30 accordingly.