

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND Senate Bill No. 628, Page 1, In the Title, Line 4, by inserting after the word "clause" the  
2 following:

3 "for a certain section"; and  
4

5 Further amend said bill, Page 5, Section 37.005, Line 159, by inserting after all of said line the  
6 following:

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

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

36 3. There is hereby established within the department of elementary and secondary education

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 the "Missouri Advisory Board for Educator Preparation", hereinafter referred to as "MABEP". The  
2 MABEP shall advise the state board of education and the coordinating board for higher education as  
3 provided in this section and foster meaningful and substantial collaboration and transparency among  
4 all stakeholders in the interest of improving the quality of teacher preparation in Missouri.

5 4. MABEP shall be comprised of fourteen members, who shall be appointed to serve as  
6 follows: five members to be appointed by the state board of education upon the recommendation of  
7 the commissioner of education, two members selected by the commissioner of education, five  
8 members to be selected by the coordinating board for higher education upon the recommendation of  
9 the commissioner of higher education, and two members to be selected by the commissioner of  
10 higher education. The length of term for each member shall be two years. The commissioner of  
11 education and the commissioner of higher education shall serve as ex officio members and thus shall  
12 not vote on matters before MABEP.

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

14 (1) One practicing certificated public school teacher who has served as a cooperating  
15 teacher, selected by the state board of education upon the recommendation of the commissioner of  
16 education;

17 (2) One practicing certified public school administrator with direct responsibility for the  
18 evaluation of educators, selected by the state board of education upon the recommendation of the  
19 commissioner of education;

20 (3) One practicing human resource director for a public school district with direct  
21 responsibility for hiring, selected by the state board of education upon the recommendation of the  
22 commissioner of education;

23 (4) One practicing certificated public school teacher who has served as a teacher mentor,  
24 selected by the state board of education upon the recommendation of the commissioner of education;

25 (5) One practicing certified superintendent of a public school, selected by the state board of  
26 education upon the recommendation of the commissioner of education;

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

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

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

45 (12) One dean or director within an approved educator preparation program, selected by the  
46 coordinating board for 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 a 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 education and higher education to discuss policy issues  
7 and proposed changes to standards and practices related to educator preparation programs;

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

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

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

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

21 7. MABEP shall meet at least two times annually, but may meet more frequently if requested  
22 by either board, the commissioner of education or the commissioner of higher education. MABEP  
23 shall be chaired by the commissioner of education, or his or her designee, and the commissioner of  
24 higher education, or his or her designee, in alternating years.

25 [2.] 8. Upon approval by the state board of education of the teacher education program at a  
26 particular teacher training institution, any person who graduates from that program, and who meets  
27 other requirements which the state board of education shall prescribe by rule, regulation and statute  
28 shall be granted a certificate or license to teach in the public schools of this state. The state board of  
29 education shall not approve any teacher education program prior to receiving a formal  
30 recommendation on that approval from the coordinating board for higher education. However, no  
31 such rule or regulation shall require that the program from which the person graduates be accredited  
32 by any national or regional accreditation association.

33 [3.] 9. Notwithstanding any provision in the law to the contrary, the state board of education  
34 may accredit a graduate law school and any graduate of such an accredited law school shall be  
35 allowed to take the examination for admission to the bar of Missouri.

36 173.005. 1. There is hereby created a "Department of Higher Education", and the division of  
37 higher education of the department of education is abolished and all its powers, duties, functions,  
38 personnel and property are transferred as provided by the Reorganization Act of 1974, Appendix B,  
39 RSMo.

40 2. The commission on higher education is abolished and all its powers, duties, personnel and  
41 property are transferred by type I transfer to the "Coordinating Board for Higher Education", which  
42 is hereby created, and the coordinating board shall be the head of the department. The coordinating  
43 board shall consist of nine members appointed by the governor with the advice and consent of the  
44 senate, and not more than five of its members shall be of the same political party. None of the  
45 members shall be engaged professionally as an educator or educational administrator with a public or  
46 private institution of higher education at the time appointed or during his term. Moreover, no person  
47 shall be appointed to the coordinating board who shall not be a citizen of the United States, and who  
48 shall not have been a resident of the state of Missouri two years next prior to appointment, and at

1 least one but not more than two persons shall be appointed to said board from each congressional  
2 district. The term of service of a member of the coordinating board shall be six years and said  
3 members, while attending the meetings of the board, shall be reimbursed for their actual expenses.  
4 Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in  
5 the composition and configuration of congressional districts in this state shall prohibit a member who  
6 is serving a term on August 28, 2011, from completing his or her term. The coordinating board may,  
7 in order to carry out the duties prescribed for it in subsections 1, 2, 3, 7, and 8 of this section, employ  
8 such professional, clerical and research personnel as may be necessary to assist it in performing those  
9 duties, but this staff shall not, in any fiscal year, exceed twenty-five full-time equivalent employees  
10 regardless of the source of funding. In addition to all other powers, duties and functions transferred  
11 to it, the coordinating board for higher education shall have the following duties and responsibilities:

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

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

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

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

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

40 (6) The coordinating board for higher education shall require all public two-year and  
41 four-year higher education institutions to replicate best practices in remediation identified by the  
42 coordinating board and institutions from research undertaken by regional educational laboratories,  
43 higher education research organizations, and similar organizations with expertise in the subject, and  
44 identify and reduce methods that have been found to be ineffective in preparing or retaining students  
45 or that delay students from enrollment in college-level courses;

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

48 (8) The coordinating board shall establish guidelines to promote and facilitate the transfer of

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

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

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

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

43 (12) (a) As used in this subdivision, the term "out-of-state public institution of higher  
44 education" shall mean an education institution located outside of Missouri that:

45 a. Is controlled or administered directly by a public agency or political subdivision or is  
46 classified as a public institution by the state;

47 b. Receives appropriations for operating expenses directly or indirectly from a state other  
48 than Missouri;

1 c. Provides a postsecondary course of instruction at least six months in length leading to or  
2 directly creditable toward a degree or certificate;

3 d. Meets the standards for accreditation by an accrediting body recognized by the United  
4 States Department of Education or any successor agency; and

5 e. Permits faculty members to select textbooks without influence or pressure by any religious  
6 or sectarian source.

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

8 a. The board's approval process of proposed new degree programs and course offerings by  
9 any out-of-state public institution of higher education seeking to offer degree programs or course  
10 work within the state of Missouri; and

11 b. The board's approval process of degree programs and courses offered by any out-of-state  
12 public institutions of higher education that, prior to July 1, 2008, were approved by the board to  
13 operate a school in compliance with the provisions of sections 173.600 to 173.618. The rules shall  
14 ensure that, as of July 1, 2008, all out-of-state public institutions seeking to offer degrees and courses  
15 within the state of Missouri are evaluated in a manner similar to Missouri public higher education  
16 institutions. Such out-of-state public institutions shall be held to standards no lower than the  
17 standards established by the coordinating board for program approval and the policy guidelines of  
18 the coordinating board for data collection, cooperation, and resolution of disputes between Missouri  
19 institutions of higher education under this section. Any such out-of-state public institutions of higher  
20 education wishing to continue operating within this state must be approved by the board under the  
21 rules promulgated under this subdivision. The coordinating board may charge and collect fees from  
22 out-of-state public institutions to cover the costs of reviewing and assuring the quality of programs  
23 offered by out-of-state public institutions. Any rule or portion of a rule, as that term is defined in  
24 section 536.010, that is created under the authority delegated in this section shall become effective  
25 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,  
26 section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with  
27 the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and  
28 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any  
29 rule proposed or adopted after August 28, 2007, shall be invalid and void.

30 (c) Nothing in this subdivision or in section 173.616 shall be construed or interpreted so that  
31 students attending an out-of-state public institution are considered to be attending a Missouri public  
32 institution of higher education for purposes of obtaining student financial assistance.

33 3. The coordinating board shall meet at least four times annually with an advisory committee  
34 who shall be notified in advance of such meetings. The coordinating board shall have exclusive  
35 voting privileges. The advisory committee shall consist of thirty-two members, who shall be the  
36 president or other chief administrative officer of the University of Missouri; the chancellor of each  
37 campus of the University of Missouri; the president of each state-supported four-year college or  
38 university, including Harris-Stowe State University, Missouri Southern State University, Missouri  
39 Western State University, and Lincoln University; the president of State Technical College of  
40 Missouri; the president or chancellor of each public community college district; and representatives  
41 of each of five accredited private institutions selected biennially, under the supervision of the  
42 coordinating board, by the presidents of all of the state's privately supported institutions; but always  
43 to include at least one representative from one privately supported community college, one privately  
44 supported four-year college, and one privately supported university. The conferences shall enable  
45 the committee to advise the coordinating board of the views of the institutions on matters within the  
46 purview of the coordinating board.

47 4. The University of Missouri, Lincoln University, and all other state-governed colleges and  
48 universities, chapters 172, 174, 175, and others, are transferred by type III transfers to the

1 department of higher education subject to the provisions of subsection 2 of this section.

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

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

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

16 8. All the powers, duties, functions, and properties of the state poultry experiment station,  
17 chapter 262, are transferred by type I transfer to the University of Missouri, and the state poultry  
18 association and state poultry board are abolished. In the event the University of Missouri shall cease  
19 to use the real estate of the poultry experiment station for the purposes of research or shall declare  
20 the same surplus, all real estate shall revert to the governor of the state of Missouri and shall not be  
21 disposed of without legislative approval.

22 340.381. 1. Sections 340.381 to 340.396 establish a student loan forgiveness program for  
23 approved veterinary students who practice in areas of defined need. Such program shall be known as  
24 the "Dr. Merrill Townley Large Animal Veterinary Student Loan Program".

25 2. There is hereby created in the state treasury the "Veterinary Student Loan Payment Fund",  
26 which shall consist of general revenue appropriated to the large animal veterinary student loan  
27 program, voluntary contributions to support or match program activities, money collected under  
28 section 340.396, and funds received from the federal government. The state treasurer shall be  
29 custodian of the fund and shall approve disbursements from the fund in accordance with sections  
30 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for the  
31 administration of sections 340.381 to 340.396. Notwithstanding the provisions of section 33.080 to  
32 the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the  
33 credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same  
34 manner as other funds are invested. Any interest and moneys earned on such investments shall be  
35 credited to the fund.

36 340.396. 1. Sections 340.381 to 340.396 shall not be construed to require the department to  
37 enter into contracts with individuals who qualify for education loans or loan repayment programs  
38 when federal, state, and local funds are not available for such purposes.

39 2. Sections 340.381 to 340.396 shall not be subject to the provisions of sections 23.250 to  
40 23.298.

41 [3. Sections 340.381 to 340.396 shall expire on June 30, 2013.]; and

42  
43 Further amend said bill, Page 6, Section B, Lines 1 to 6, by deleting all of said lines and inserting in  
44 lieu thereof the following:

45 "Section B. Because of the importance of allowing higher education institutions to provide  
46 responses to property lessors in a timely manner, the repeal and reenactment of section 37.005 of this  
47 act is deemed necessary for the immediate preservation of the public health, welfare, peace, and  
48 safety, and the repeal and reenactment of section 37.005 of this act is hereby declared to be an

1 emergency act within the meaning of the constitution, and the repeal and reenactment of section  
2 37.005 of this act shall be in full force and effect upon its passage and approval."; and

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

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