

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 996,
2 Page 6, Section 162.720, Line 10, by inserting after all of said section and line the following:

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

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

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

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

18 2. (1) For any district that has been declared unaccredited by the state board of education
19 and remains unaccredited as of July 1, 2015, the provisions of subsection 1 of this section shall
20 become applicable during the 2015-16 school year.

21 (2) For any district that is declared unaccredited by the state board of education after July 1,
22 2015, and for any charter school located in said district, the provisions of subsection 1 of this
23 section shall become applicable immediately upon such declaration.

24 (3) For any district that has been declared provisionally accredited by the state board of
25 education and remains provisionally accredited as of July 1, 2016, and for any charter school
26 located in said district, the provisions of subsection 1 of this section shall become applicable
27 beginning in the 2016-17 school year.

28 (4) For any district that is declared provisionally accredited by the state board of education
29 after July 1, 2016, and for any charter school located in said district, the provisions of this section
30 shall become applicable beginning in the 2016-17 school year or immediately upon such
31 declaration, whichever is later.

32 (5) For all other districts and charter schools, the provisions of subsection 1 of this section
33 shall become effective in any school year subsequent to a school year in which the amount
34 appropriated for subsections 1 and 2 of section 163.031 is equal to or exceeds the amount necessary
35 to fund the entire entitlement calculation determined by subsections 1 and 2 of section 163.031, and
36 shall remain effective in all school years thereafter, irrespective of the amount appropriated for

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1 subsections 1 and 2 of section 163.031 in any succeeding year.

2 3. This section shall not require school attendance beyond that mandated under section
3 167.031 and shall not change or amend the provisions of sections 160.051, 160.053, 160.054, and
4 160.055 relating to kindergarten attendance."; and

5
6 Further amend said bill, Page 8, Section 163.031, Line 99, by inserting after all of said section and
7 line the following:

8
9 "167.265. 1. A program to provide [guidance] school counselors in grades kindergarten
10 through nine is established. Any public elementary school, middle school, junior high school, or
11 combination of such schools, containing such grades which meet the criteria pursuant to this section
12 shall be eligible for a state financial supplement to employ a [guidance] school counselor.
13 Eligibility criteria are: the school shall have a minimum enrollment of one hundred twenty-five
14 pupils per school site, shall have a breakfast program, and shall serve at least forty percent of its
15 lunches to pupils who are eligible for free or reduced price meals according to federal guidelines.

16 2. A school district which contains such eligible schools may apply to the department of
17 elementary and secondary education for a state financial supplement to employ a [guidance] school
18 counselor in those schools named in the application and in no other schools of the district. The state
19 financial supplement shall not exceed ten thousand dollars per [guidance] school counselor. No
20 more than one [guidance] school counselor per school shall be supplemented by the state pursuant to
21 this section, except that a district may apply for an additional [guidance] school counselor if the
22 enrollment at the school equals four hundred or more pupils. [Guidance] School counselors thus
23 employed pursuant to this section shall at a minimum engage in direct counseling activities with the
24 pupils of the school during a portion of the school day which represents that portion of the
25 [guidance] school counselor's salary which is supplemented by the state pursuant to this section.

26 3. The state board of education shall promulgate rules and regulations for the
27 implementation of this section. Such rules shall include identifying any qualifications for
28 [guidance] school counselors which may be in addition to those promulgated pursuant to section
29 168.021, establishing application procedures for school districts, determining a method of awarding
30 state financial supplements in the event that the number of applications exceeds the amounts
31 appropriated therefor, and establishing an amount of state financial supplement per [guidance]
32 school counselor based upon the salary schedule of the district.

33 167.266. 1. Beginning with the 2016-17 school year, the board of education of a school
34 district or a charter school that is a local educational agency may establish an academic and career
35 counseling program in cooperation with parents and the local community that is in the best interest
36 of and meets the needs of students in the community. School districts and local educational
37 agencies may use the Missouri comprehensive guidance and counseling program as a resource for
38 the development of a district's or local educational agency's program. The department of
39 elementary and secondary education shall develop a process for recognition of a school district's
40 academic and career counseling program established in cooperation with parents and the local
41 community no later than January 1, 2017.

42 2. The state board of education shall promulgate rules and regulations for the
43 implementation of this section. Any rule or portion of a rule, as that term is defined in section
44 536.010, that is created under the authority delegated in this section shall become effective only if it
45 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section
46 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the
47 general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and
48 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any

1 rule proposed or adopted after August 28, 2016, shall be invalid and void.

2 168.021. 1. Certificates of license to teach in the public schools of the state shall be granted
3 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 advice
8 from the advisory council established by section 168.015 to any individual who presents to the state
9 board a valid doctoral degree from an accredited institution of higher education accredited by a
10 regional accrediting 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 successful
12 completion of the examination required for graduation pursuant to rules adopted by the state board
13 of education, and shall be restricted to those certificates established pursuant to subdivision (1) of
14 subsection 3 of this section;

15 (3) By the state board, which shall issue the professional certificate classification in both the
16 general and specialized areas most closely aligned with the current areas of certification approved
17 by the state board, commensurate with the years of teaching experience of the applicant, and based
18 upon the following criteria:

19 (a) Recommendation of a state-approved baccalaureate-level teacher preparation 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 two-year
23 nonrenewable provisional certificate; and

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

27 (4) By the state board, under rules prescribed by it, on the basis of a relevant bachelor's
28 degree, or higher degree, and a passing score for the designated exit examination, for individuals
29 whose academic degree and professional experience are suitable to provide a basis for instruction
30 solely in the subject matter of banking or financial responsibility, at the discretion of the state board.
31 Such certificate shall be limited to the major area of study of the holder and shall be restricted to
32 those certificates established under subdivision (1) of subsection 3 of this section. Holders of
33 certificates granted under this subdivision shall be exempt from the teacher tenure act under sections
34 168.102 to 168.130 and each school district shall have the decision-making authority on whether to
35 hire the holders of such certificates; [or]

36 (5) By the state board, under rules and regulations prescribed by it, on the basis of
37 certification by the American Board for Certification of Teacher Excellence (ABCTE) and
38 verification of ability to work with children as demonstrated by sixty contact hours in any one of the
39 following areas as validated by the school principal: sixty contact hours in the classroom, of which
40 at least forty-five must be teaching; sixty contact hours as a substitute teacher, with at least thirty
41 consecutive hours in the same classroom; sixty contact hours of teaching in a private school; or sixty
42 contact hours of teaching as a paraprofessional, for an initial four-year ABCTE certificate of license
43 to teach, except that such certificate shall not be granted for the areas of early childhood education,
44 or special education. For certification in the area of elementary education, ninety contact hours in
45 the classroom shall be required, of which at least thirty shall be in an elementary classroom. Upon
46 the completion of the requirements listed in paragraphs (a), (b), (c), and (d) of this subdivision, an
47 applicant shall be eligible to apply for a career continuous professional certificate under subdivision
48 (2) of subsection 3 of this section:

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

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

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

(d) Participate in a beginning teacher assistance program; or

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

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

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

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

(d) Completion of a background check as prescribed under section 168.133.

The initial visiting scholars certificate shall certify the holder of such certificate to teach for one year. An applicant shall be eligible to renew an initial visiting scholars certificate a maximum of two times, based upon the completion of the requirements listed under paragraphs (a), (b), and (d) of this subdivision; completion of professional development required by the school district and school; and attainment of a satisfactory performance-based teacher evaluation.

2. All valid teaching certificates issued pursuant to law or state board policies and regulations prior to September 1, 1988, shall be exempt from the professional development requirements of this section and shall continue in effect until they expire, are revoked or suspended, as provided by law. When such certificates are required to be renewed, the state board or its designee shall grant to each holder of such a certificate the certificate most nearly equivalent to the one so held. Anyone who holds, as of August 28, 2003, a valid PC-I, PC-II, or continuous professional certificate shall, upon expiration of his or her current certificate, be issued the appropriate level of certificate based upon the classification system established pursuant to subsection 3 of this section.

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

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

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

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

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

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

6 (b) The career continuous professional certificate shall be continuous based upon
7 verification of actual employment in an educational position as provided for in state board
8 guidelines and completion of fifteen contact hours of professional development per year which may
9 include hours spent in class in an appropriate college curriculum. Should the possessor of a valid
10 career continuous professional certificate fail, in any given year, to meet the fifteen-hour
11 professional development requirement, the possessor may, within two years, make up the missing
12 hours. In order to make up for missing hours, the possessor shall first complete the fifteen-hour
13 requirement for the current year and then may count hours in excess of the current year requirement
14 as make-up hours. Should the possessor fail to make up the missing hours within two years, the
15 certificate shall become inactive. In order to reactivate the certificate, the possessor shall complete
16 twenty-four contact hours of professional development which may include hours spent in the
17 classroom in an appropriate college curriculum within the six months prior to or after reactivating
18 his or her certificate. The requirements of this paragraph shall be monitored and verified by the
19 local school district which employs the holder of the career continuous professional certificate.

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

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

25 b. Possesses a master's degree; or

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

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

34 5. The state board shall, upon completion of a background check as prescribed in section
35 168.133, issue a professional certificate classification in the areas most closely aligned with an
36 applicant's current areas of certification, commensurate with the years of teaching experience of the
37 applicant, to any person who is hired to teach in a public school in this state and who possesses a
38 valid teaching certificate from another state or certification under subdivision (4) of subsection 1 of
39 this section, provided that the certificate holder shall annually complete the state board's
40 requirements for such level of certification, and shall establish policies by which residents of states
41 other than the state of Missouri may be assessed a fee for a certificate of license to teach in the
42 public schools of Missouri. Such fee shall be in an amount sufficient to recover any or all costs
43 associated with the issuing of a certificate of license to teach. The board shall promulgate rules to
44 authorize the issuance of a provisional certificate of license, which shall allow the holder to assume
45 classroom duties pending the completion of a criminal background check under section 168.133, for
46 any applicant who:

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

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

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

3 (4) Otherwise qualifies under this section.

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

11 7. Any member of the public school retirement system of Missouri who entered covered
12 employment with ten or more years of educational experience in another state or states and held a
13 certificate issued by another state and subsequently worked in a school district covered by the public
14 school retirement system of Missouri for ten or more years who later became certificated in
15 Missouri shall have that certificate dated back to his or her original date of employment in a
16 Missouri public school.

17 168.303. The state board of education shall adopt rules to facilitate job-sharing positions for
18 classroom teachers, as the term "job-sharing" is defined in this section. These rules shall provide
19 that a classroom teacher in a job-sharing position shall receive paid legal holidays, annual vacation
20 leave, sick leave, and personal leave on a pro rata basis. "Job-sharing position" shall mean any
21 position:

22 (1) Shared with one other employee;

23 (2) Requiring employment of at least seventeen hours per week but not more than twenty
24 hours per week on a regular basis; and

25 (3) Requiring at least seventy percent of all time spent in classroom instruction as
26 determined by the employer;

27
28 provided that, job-sharing position shall not include instructional support or school services
29 positions including, but not limited to, [guidance] school counselor, media coordinator,
30 psychologist, social worker, audiologist, speech and language pathologist, and nursing positions.

31 168.500. 1. For the purpose of providing career pay, which shall be a salary supplement,
32 for public school teachers, which for the purpose of sections 168.500 to 168.515 shall include
33 classroom teachers, librarians, [guidance] school counselors and certificated teachers who hold
34 positions as school psychological examiners, parents as teachers educators, school psychologists,
35 special education diagnosticians and speech pathologists, and are on the district salary schedule,
36 there is hereby created and established a career advancement program which shall be known as the
37 "Missouri Career Development and Teacher Excellence Plan", hereinafter known as the "career plan
38 or program". Participation by local school districts in the career advancement program established
39 under this section shall be voluntary. The career advancement program is a matching fund program.
40 The general assembly may make an annual appropriation to the excellence in education fund
41 established under section 160.268 for the purpose of providing the state's portion for the career
42 advancement program. The "Career Ladder Forward Funding Fund" is hereby established in the
43 state treasury. Beginning with fiscal year 1998 and until the career ladder forward funding fund is
44 terminated pursuant to this subsection, the general assembly may appropriate funds to the career
45 ladder forward funding fund. Notwithstanding the provisions of section 33.080 to the contrary,
46 moneys in the fund shall not be transferred to the credit of the general revenue fund at the end of the
47 biennium. All interest or other gain received from investment of moneys in the fund shall be
48 credited to the fund. All funds deposited in the fund shall be maintained in the fund until such time

1 as the balance in the fund at the end of the fiscal year is equal to or greater than the appropriation
2 for the career ladder program for the following year, at which time all such revenues shall be used to
3 fund, in advance, the career ladder program for such following year and the career ladder
4 [forwarding] forward funding fund shall thereafter be terminated.

5 2. The department of elementary and secondary education, at the direction of the
6 commissioner of education, shall study and develop model career plans which shall be made
7 available to the local school districts. These state model career plans shall:

8 (1) Contain three steps or stages of career advancement;

9 (2) Contain a detailed procedure for the admission of teachers to the career program;

10 (3) Contain specific criteria for career step qualifications and attainment. These criteria
11 shall clearly describe the minimum number of professional responsibilities required of the teacher at
12 each stage of the plan and shall include reference to classroom performance evaluations performed
13 pursuant to section 168.128;

14 (4) Be consistent with the teacher certification process recommended by the Missouri
15 advisory council of certification for educators and adopted by the department of elementary and
16 secondary education;

17 (5) Provide that public school teachers in Missouri shall become eligible to apply for
18 admission to the career plans adopted under sections 168.500 to 168.515 after five years of public
19 school teaching in Missouri. All teachers seeking admission to any career plan shall, as a minimum,
20 meet the requirements necessary to obtain the first renewable professional certificate as provided in
21 section 168.021;

22 (6) Provide procedures for appealing decisions made under career plans established under
23 sections 168.500 to 168.515.

24 3. The commissioner of education shall cause the department of elementary and secondary
25 education to establish guidelines for all career plans established under this section, and criteria that
26 must be met by any school district which seeks funding for its career plan.

27 4. A participating local school district may have the option of implementing a career plan
28 developed by the department of elementary and secondary education or a local plan which has been
29 developed with advice from teachers employed by the district and which has met with the approval
30 of the department of elementary and secondary education. In approving local career plans, the
31 department of elementary and secondary education may consider provisions in the plan of the local
32 district for recognition of teacher mobility from one district to another within this state.

33 5. The career plans of local school districts shall not discriminate on the basis of race, sex,
34 religion, national origin, color, creed, or age. Participation in the career plan of a local school
35 district is optional, and any teacher who declines to participate shall not be penalized in any way.

36 6. In order to receive funds under this section, a school district which is not subject to
37 section 162.920 must have a total levy for operating purposes which is in excess of the amount
38 allowed in Section 11(b) of Article X of the Missouri Constitution; and a school district which is
39 subject to section 162.920 must have a total levy for operating purposes which is equal to or in
40 excess of twenty-five cents on each hundred dollars of assessed valuation.

41 7. The commissioner of education shall cause the department of elementary and secondary
42 education to regard a speech pathologist who holds both a valid certificate of license to teach and a
43 certificate of clinical competence to have fulfilled the standards required to be placed on stage III of
44 the career program, provided that such speech pathologist has been employed by a public school in
45 Missouri for at least five years and is approved for placement at such stage III by the local school
46 district.

47 8. Beginning in fiscal year 2012, the state portion of career ladder payments shall only be
48 made available to local school districts if the general assembly makes an appropriation for such

1 program. Payments authorized under sections 168.500 to 168.515 shall only be made available in a
2 year for which a state appropriation is made. Any state appropriation shall be made prospectively in
3 relation to the year in which work under the program is performed.

4 9. Nothing in this section shall be construed to prohibit a local school district from funding
5 the program for its teachers for work performed in years for which no state appropriation is made
6 available.

7 168.520. 1. For the purpose of providing career pay, which shall be a salary supplement for
8 teachers, librarians, [guidance] school counselors and certificated teachers who hold positions as
9 school psychological examiners, parents-as-teachers educators, school psychologists, special
10 education diagnosticians or speech pathologists in Missouri schools for the severely disabled, the
11 Missouri School for the Blind and the Missouri School for the Deaf, there is hereby established a
12 career advancement program which shall become effective no later than September 1, 1986.

13 Participation in the career advancement program by teachers shall be voluntary.

14 2. The department of elementary and secondary education with the recommendation of
15 teachers from the state schools, shall develop a career plan. This state career plan shall include, but
16 need not be limited to, the provisions of state model career plans as contained in subsection 2 of
17 section 168.500.

18 3. After a teacher who is duly employed by a state school qualifies and is selected for
19 participation in the state career plan established under this section, such a teacher shall not be denied
20 the career pay authorized by such plan except as provided in subdivisions (1), (2), and (3) of section
21 168.510.

22 4. Each teacher selected to participate in the career plan established under this section who
23 meets the requirements of such plan shall receive a salary supplement as provided in subdivisions
24 (1), (2), and (3) of subsection 1 of section 168.515.

25 5. The department of elementary and secondary education shall annually include within its
26 budget request to the general assembly sufficient funds for the purpose of providing career pay as
27 established under this section to those eligible teachers employed in Missouri schools for the
28 severely disabled, the Missouri School for the Deaf, and the Missouri School for the Blind.

29 192.915. 1. To increase awareness of the risks associated with use of over-the-counter
30 weight loss pills by persons under the age of eighteen, the department of health and senior services
31 shall implement an education and awareness program. Such program shall provide accurate
32 information regarding weight loss and the dangers of using over-the-counter weight loss pills by the
33 teenage population without the consultation of a licensed physician. Such program shall focus on
34 education and awareness programs for teenagers, parents, siblings and other family members of
35 teenagers, teachers, [guidance] school counselors, superintendents and principals.

36 2. The department of health and senior services may use the following strategies for raising
37 public awareness of the risks associated with use of over-the-counter weight loss pills by persons
38 under the age of eighteen:

39 (1) An outreach campaign utilizing print, radio, and television public service
40 announcements, advertisements, posters, and other materials;

41 (2) Community forums; and

42 (3) Health information and risk-factor assessment at public events.

43 3. The department of elementary and secondary education, in conjunction with the
44 department of health and senior services, shall distribute information pursuant to this program.

45 4. The department may promulgate rules and regulations to implement the provisions of this
46 section. No rule or portion of a rule promulgated pursuant to the authority of this section shall
47 become effective unless it has been promulgated pursuant to chapter 536."; and
48

- 1 Further amend said bill by amending the title, enacting clause, and intersectional references
- 2 accordingly.