HOUSE BILL NO. 267

103RD GENERAL ASSEMBLY

AN ACT

To repeal sections 168.025 and 168.036, RSMo, and to enact in lieu thereof two new sections relating to public school teachers.

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

Section A. Sections 168.025 and 168.036, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 168.025 and 168.036, to read as follows:
168.025. 1. For purposes of this section, "teacher externship" means an experience in
2 which a teacher, supervised by his or her school or school district, gains practical experience
3 at a business located in Missouri through observation and interaction with employers and
4 employees.
5 2. The department of economic development and the department of elementary and
6 secondary education shall develop and recommend:
7 (1) Requirements for teacher externships that can be considered the equivalent of the
8 completion of credit hours in graduate-level courses for purposes of salary schedules; and
9 (2) An equivalency schedule that sets forth the number of credit hours in graduate-
10 level courses that shall be considered equivalent to and awarded for each type of teacher
11 externship. To classify teacher externships and determine the number of credit hours that
12 would be appropriate for each type, the length of the teacher externship, the practical
13 experience gained, or any other factor deemed relevant may be considered.
14 3. The department of economic development and the department of elementary and
15 secondary education shall adopt and publish on their websites, before July 1, 2020,
16 requirements for teacher externships that can be considered the equivalent of the completion
17 of credit hours in graduate-level courses for purposes of salary schedules and an equivalency

18 schedule as described in subsection 2 of this section. Any teacher externship that meets the
19 published requirements shall be known as and considered a certified teacher externship for
20 purposes of this section.
21   4. If a school district or charter school uses a salary schedule in which a teacher
22 receives a higher salary if he or she has earned credit hours in graduate-level courses, the
23 school district or charter school shall consider any teacher who has completed a certified
24 teacher externship to have completed credit hours in graduate-level courses on its salary
25 schedule in the manner prescribed by the equivalency schedule developed under this section
26 and compensate the teacher accordingly.
27   5. The department of elementary and secondary education and the department of
28 economic development may promulgate rules to implement the provisions of this section.
29 Any rule or portion of a rule, as that term is defined in section 536.010, that is created under
30 the authority delegated in this section shall become effective only if it complies with and is
31 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section
32 and chapter 536 are nonseverable, and if any of the powers vested with the general assembly
33 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a
34 rule are subsequently held unconstitutional, then the grant of rulemaking authority and any
35 rule proposed or adopted after August 28, 2019, shall be invalid and void.
36   [6. Under section 23.253 of the Missouri sunset act:
37   (1) The provisions of the new program authorized under this section shall
38 automatically sunset five years after August 28, 2019, unless reauthorized by an act of the
39 general assembly;
40   (2) If such program is reauthorized, the program authorized under this section shall
41 automatically sunset ten years after the effective date of the reauthorization of this section;
42 and
43   (3) This section shall terminate on September first of the calendar year immediately
44 following the calendar year in which the program authorized under this section is sunset.]
        168.036. 1. In addition to granting certificates of license to teach in public schools of
2   the state under section 168.021, the state board of education shall grant substitute teacher
3   certificates as provided in this section to any individual seeking to substitute teach in any
4   public school in this state.
5   2. (1) The state board shall not grant a certificate of license to teach under this section
6   to any individual who has not completed a background check as required under section
7   168.021.
8   (2) The state board may refuse to issue or renew, suspend, or revoke any certificate
9   sought or issued under this section in the same manner and for the same reasons as under
10 section 168.071.

11   3. The state board may grant a certificate under this section to any individual who has
12   completed:
13   (1) At least thirty-six semester hours at an accredited institution of higher education;
14   or
15   (2) The twenty-hour online training program required in this section and who
16   possesses a high school diploma or the equivalent thereof.
17   4. The department of elementary and secondary education shall develop and maintain
18   an online training program for individuals, which shall consist of twenty hours of training
19   related to subjects appropriate for substitute teachers as determined by the department.
20   5. The state board may grant a certificate under this section to any highly qualified
21   individual with expertise in a technical or business field or with experience in the Armed
22   Forces of the United States who has completed the background check required in this section
23   but does not meet any of the qualifications under subdivision (1) or (2) of subsection 3 of this
24   section if the superintendent of the school district in which the individual seeks to substitute
25   teach sponsors such individual and the school board of the school district in which the
26   individual seeks to substitute teach votes to approve such individual to substitute teach.
27   6. (1) Notwithstanding any other provisions to contrary, beginning on June 30, 2022,
28   and ending on June 30, **[**2025**]** **2030**, any person who is retired and currently receiving a
29   retirement allowance under sections 169.010 to 169.141 or sections 169.600 to 169.715, other
30   than for disability, may be employed to substitute teach on a part-time or temporary substitute
31   basis by an employer included in the retirement system without a discontinuance of the
32   person's retirement allowance. Such a person shall not contribute to the retirement system, or
33   to the public school retirement system established by sections 169.010 to 169.141 or to the
34   public education employee retirement system established by sections 169.600 to 169.715,
35   because of earnings during such period of employment.
36   (2) In addition to the conditions set forth in subdivision 1 of this subsection, any
37   person retired and currently receiving a retirement allowance under sections 169.010 to
38   169.141, other than for disability, who is employed by a third party or is performing work as
39   an independent contractor may be employed to substitute teach on a part-time or temporary
40   substitute basis, if such person is performing work for an employer included in the retirement
41   system without a discontinuance of the person's retirement allowance.
42   (3) If a person is employed pursuant to this subsection on a regular, full-time basis the
43   person shall not be entitled to receive the person's retirement allowance for any month during
44   which the person is so employed. The retirement system may require the employer, the third-
45   party employer, the independent contractor, and the retiree subject to this subsection to
46   provide documentation showing compliance with this subsection. If such documentation is

47   not provided, the retirement system may deem the retiree to have exceeded the limitations
48   provided in this subsection.

49   7. A certificate granted under this section shall be valid for four years. A certificate
50   granted under this section shall expire at the end of any calendar year in which the individual
51   fails to substitute teach for at least five days or forty hours of in-seat instruction.

52   8. (1) An individual to whom the state board grants a certificate under this section
53   may be a substitute teacher in a public school in the state if the school district agrees to
54   employ the individual as a substitute teacher and such individual has completed a background
55   check as required in subsection 10 of this section.

56   (2) No individual to whom the state board grants a certificate under this section and
57   who is under twenty years of age shall be a substitute teacher in grades nine to twelve.

58   9. Each school district may develop an orientation for individuals to whom the state
59   board grants a certificate under this section for such individuals employed by the school
60   district and may require such individuals to complete such orientation. Such orientation shall
61   contain at least two hours of subjects appropriate for substitute teachers and shall contain
62   instruction on the school district's best practices for classroom management.

63   10. Beginning January 1, 2023, any substitute teacher may, at the time such substitute
64   teacher submits the fingerprints and information required for the background check required
65   under section 168.021, designate up to five school districts to which such substitute teacher
66   has submitted an application for substitute teaching to receive the results of the substitute
67   teacher's criminal history background check and fingerprint collection. The total amount of
68   any fees for disseminating such results to up to five school districts under this subsection shall
69   not exceed fifty dollars.

70   11. The state board may exercise the board's authority under chapter 161 to
71   promulgate all necessary rules and regulations necessary for the administration of this section.

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