

SECOND REGULAR SESSION

# SENATE BILL NO. 782

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR ROMINE.

Read 1st time January 27, 2014, and ordered printed.

TERRY L. SPIELER, Secretary.

5634S.011

## AN ACT

To repeal section 168.021, RSMo, and to enact in lieu thereof one new section relating to certification by the American Board for Certification of Teacher Excellence.

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

Section A. Section 168.021, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 168.021, to read as follows:

168.021. 1. Certificates of license to teach in the public schools of the  
2 state shall be granted as follows:

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

4 (a) Upon the basis of college credit;

5 (b) Upon the basis of examination;

6 (2) By the state board, under rules and regulations prescribed by the state  
7 board with advice from the advisory council established by section 168.015 to any  
8 individual who presents to the state board a valid doctoral degree from an  
9 accredited institution of higher education accredited by a regional accrediting  
10 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  
12 successful completion of the examination required for graduation pursuant to  
13 rules adopted by the state board of education, and shall be restricted to those  
14 certificates established pursuant to subdivision (1) of subsection 3 of this section;

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

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

20 (a) Recommendation of a state-approved baccalaureate-level teacher  
21 preparation program;

22 (b) Successful attainment of the Missouri qualifying score on the exit  
23 assessment for teachers or administrators designated by the state board of  
24 education. Applicants who have not successfully achieved a qualifying score on  
25 the designated examinations will be issued a two-year nonrenewable provisional  
26 certificate; and

27 (c) Upon completion of a background check as prescribed in section  
28 168.133 and possession of a valid teaching certificate in the state from which the  
29 applicant's teacher preparation program was completed;

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

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

55 (a) Completion of thirty contact hours of professional development within

56 four years, which may include hours spent in class in an appropriate college  
57 curriculum;

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

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

62 (d) Participate in a beginning teacher assistance program.

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

73 3. Certificates of license to teach in the public schools of the state shall  
74 be based upon minimum requirements prescribed by the state board of education  
75 which shall include completion of a background check as prescribed in section  
76 168.133. The state board shall provide for the following levels of professional  
77 certification: an initial professional certificate and a career continuous  
78 professional certificate.

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

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

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

91 (c) Participate in a beginning teacher assistance program;

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

97           (b) The career continuous professional certificate shall be continuous  
98 based upon verification of actual employment in an educational position as  
99 provided for in state board guidelines and completion of fifteen contact hours of  
100 professional development per year which may include hours spent in class in an  
101 appropriate college curriculum. Should the possessor of a valid career continuous  
102 professional certificate fail, in any given year, to meet the fifteen-hour  
103 professional development requirement, the possessor may, within two years, make  
104 up the missing hours. In order to make up for missing hours, the possessor shall  
105 first complete the fifteen-hour requirement for the current year and then may  
106 count hours in excess of the current year requirement as make-up hours. Should  
107 the possessor fail to make up the missing hours within two years, the certificate  
108 shall become inactive. In order to reactivate the certificate, the possessor shall  
109 complete twenty-four contact hours of professional development which may  
110 include hours spent in the classroom in an appropriate college curriculum within  
111 the six months prior to or after reactivating his or her certificate. The  
112 requirements of this paragraph shall be monitored and verified by the local school  
113 district which employs the holder of the career continuous professional certificate.

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

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

120           b. Possesses a master's degree; or

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

123           4. Policies and procedures shall be established by which a teacher who  
124 was not retained due to a reduction in force may retain the current level of  
125 certification. There shall also be established policies and procedures allowing a  
126 teacher who has not been employed in an educational position for three years or  
127 more to reactivate his or her last level of certification by completing twenty-four

128 contact hours of professional development which may include hours spent in the  
129 classroom in an appropriate college curriculum within the six months prior to or  
130 after reactivating his or her certificate.

131         5. The state board shall, upon completion of a background check as  
132 prescribed in section 168.133, issue a professional certificate classification in the  
133 areas most closely aligned with an applicant's current areas of certification,  
134 commensurate with the years of teaching experience of the applicant, to any  
135 person who is hired to teach in a public school in this state and who possesses a  
136 valid teaching certificate from another state or certification under subdivision (4)  
137 of subsection 1 of this section, provided that the certificate holder shall annually  
138 complete the state board's requirements for such level of certification, and shall  
139 establish policies by which residents of states other than the state of Missouri  
140 may be assessed a fee for a certificate license to teach in the public schools of  
141 Missouri. Such fee shall be in an amount sufficient to recover any or all costs  
142 associated with the issuing of a certificate of license to teach. The board shall  
143 promulgate rules to authorize the issuance of a provisional certificate of license,  
144 which shall allow the holder to assume classroom duties pending the completion  
145 of a criminal background check under section 168.133, for any applicant who:

- 146             (1) Is the spouse of a member of the Armed Forces stationed in Missouri;  
147             (2) Relocated from another state within one year of the date of  
148 application;  
149             (3) Underwent a criminal background check in order to be issued a  
150 teaching certificate of license from another state; and  
151             (4) Otherwise qualifies under this section.

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

161         7. Any member of the public school retirement system of Missouri who  
162 entered covered employment with ten or more years of educational experience in  
163 another state or states and held a certificate issued by another state and

164 subsequently worked in a school district covered by the public school retirement  
165 system of Missouri for ten or more years who later became certificated in  
166 Missouri shall have that certificate dated back to his or her original date of  
167 employment in a Missouri public school.

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