

FIRST REGULAR SESSION

# HOUSE BILL NO. 101

## 101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE POLLITT (52).

0235H.02I

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To repeal sections 162.1250, 163.018, 167.903, 168.021, and 169.596, RSMo, and to enact in lieu thereof eight new sections relating to workforce development in elementary and secondary education, with a delayed effective date for certain sections.

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

Section A. Sections 162.1250, 163.018, 167.903, 168.021, and 169.596, RSMo, are repealed and eight new sections enacted in lieu thereof, to be known as sections 161.214, 162.1250, 163.018, 167.903, 167.907, 167.908, 168.021, and 169.596, to read as follows:

**161.214. 1. As used in this section, the following terms mean:**

**(1) "Board", the state board of education;**

**(2) "Department", the department of elementary and secondary education;**

**(3) "School innovation team", a group of natural persons representing:**

**(a) A single elementary or secondary school;**

**(b) A group of two or more elementary or secondary schools within the same school district that share common interests, such as geographical location or educational focus, or that sequentially serve classes of students as they progress through elementary and secondary education;**

**(c) A group of two or more elementary or secondary schools not within the same school district that share common interests, such as geographical location or educational focus, or that sequentially serve classes of students as they progress through elementary and secondary education;**

**(d) A single school district; or**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 (e) A group of two or more school districts that share common interests, such as  
16 geographical location or educational focus, or that sequentially serve classes of students as  
17 they progress through elementary and secondary education;

18 (4) "School innovation waiver", a waiver granted by the board to a single school,  
19 group of schools, single school district, or group of school districts under this section, in  
20 which the school, group of schools, school district, or group of school districts is exempt  
21 from a specific requirement imposed by chapter 160, 161, 162, 167, 170, or 171, or any  
22 regulations promulgated under such chapters by the board or the department. Any school  
23 innovation waiver granted to a school district or group of school districts shall apply to  
24 every elementary and secondary school within the school district or group of school  
25 districts unless the plan specifically provides otherwise.

26 2. Any school innovation team seeking a school innovation waiver may submit a  
27 plan to the board for one or more of the following purposes:

28 (1) Improving student readiness for employment, higher education, vocational  
29 training, technical training, or any other form of career and job training;

30 (2) Increasing the compensation of teachers; or

31 (3) Improving the recruitment, retention, training, preparation, or professional  
32 development of teachers.

33 3. Any plan for a school innovation waiver shall:

34 (1) Identify the specific provision of law for which a waiver is being requested and  
35 provide an explanation for why the specific provision of law inhibits the ability of the  
36 school or school district to accomplish the goal stated in the plan;

37 (2) Demonstrate that the intent of the specific provision of law can be addressed in  
38 a more effective, efficient, or economical manner and that the waiver or modification is  
39 necessary to implement the plan;

40 (3) Include measurable annual performance targets and goals for the  
41 implementation of the plan;

42 (4) Specify the innovations to be pursued in meeting one or more of the goals listed  
43 in subsection 2 of this section;

44 (5) Demonstrate parental, school employee, and community and business support  
45 for, and engagement with, the plan; and

46 (6) Be approved by at least the minimum number of people required to be on the  
47 school innovation team prior to submitting the plan for approval.

48 4. (1) In evaluating a plan submitted by a school innovation team under subsection  
49 2 of this section, the board shall consider whether the plan will:

50 (a) Improve the preparation, counseling, and overall readiness of students for  
51 postsecondary life;

52 (b) Increase teacher salaries in a financially sustainable and prudent manner; or

53 (c) Increase the attractiveness of the teaching profession for prospective teachers  
54 and active teachers alike.

55 (2) The board may approve any plan submitted under subsection 2 of this section  
56 if the board determines that:

57 (a) The plan successfully demonstrates the ability to address the intent of the  
58 provision of law to be waived in a more effective, efficient, or economical manner;

59 (b) The waivers or modifications are demonstrated to be necessary to stimulate or  
60 improve student readiness for postsecondary life, increase teacher salaries, or increase the  
61 attractiveness of the teaching profession for prospective teachers and active teachers;

62 (c) The plan has demonstrated sufficient participation from among the teachers,  
63 principal, superintendent, faculty, school board, parents, and the community at large; and

64 (d) The plan is based upon sound educational practices, does not endanger the  
65 health and safety of students or staff, and does not compromise equal opportunity for  
66 learning.

67 (3) The board may propose modifications to the plan in cooperation with the school  
68 innovation team.

69 5. Any waiver granted under this section shall be effective for a period of no longer  
70 than three school years beginning the school year following the school year in which the  
71 waiver is approved. Any waiver may be renewed. No more than one school innovation  
72 waiver shall be in effect with respect to any one elementary or secondary school at one  
73 time.

74 6. This section shall not be construed to allow the board to authorize the waiver of  
75 any statutory requirements relating to school start date, teacher certification, teacher  
76 tenure, or any requirement imposed by federal law.

77 7. The board may promulgate rules implementing the provisions of this section.  
78 Any rule or portion of a rule, as that term is defined in section 536.010, that is created  
79 under the authority delegated in this section shall become effective only if it complies with  
80 and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.  
81 This section and chapter 536 are nonseverable, and if any of the powers vested with the  
82 general assembly pursuant to chapter 536 to review, to delay the effective date, or to  
83 disapprove and annul a rule are subsequently held unconstitutional, then the grant of  
84 rulemaking authority and any rule proposed or adopted after August 28, 2021, shall be  
85 invalid and void.

162.1250. 1. School districts shall receive state school funding under sections 163.031, 2 163.043, and 163.087 for resident students who are enrolled in the school district and who are 3 taking a virtual course or full-time virtual program offered by the school district. The school 4 district may offer instruction in a virtual setting using technology, intranet, and internet methods 5 of communications that could take place outside of the regular school district facility. The 6 school district may develop a virtual program for any grade level, kindergarten through twelfth 7 grade, with the courses available in accordance with district policy to any resident student of the 8 district who is enrolled in the school district. Nothing in this section shall preclude a private, 9 parochial, or home school student residing within a school district offering virtual courses or 10 virtual programs from enrolling in the school district in accordance with the combined 11 enrollment provisions of section 167.031 for the purposes of participating in the virtual courses 12 or virtual programs.

13 2. Charter schools shall receive state school funding under section 160.415 for students 14 enrolled in the charter school who are completing a virtual course or full-time virtual program 15 offered by the charter school. Charter schools may offer instruction in a virtual setting using 16 technology, intranet, and internet methods of communications. The charter school may develop 17 a virtual program for any grade level, kindergarten through twelfth grade, with the courses 18 available in accordance with school policy and the charter school's charter to any student enrolled 19 in the charter school.

20 3. For purposes of calculation and distribution of state school funding, attendance of a 21 student enrolled in a district or charter school virtual class shall equal, upon course completion, 22 ~~ninety-four~~ **ninety-five** percent of the hours of attendance possible for such class delivered in 23 the nonvirtual program in the student's resident district or charter school. Course completion 24 shall be calculated in two increments, fifty percent completion and one hundred percent 25 completion, based on the student's completion of defined assignments and assessments, with 26 distribution of state funding to a school district or charter school at each increment equal to 27 forty-seven **and one-half** percent of hours of attendance possible for such course delivered in 28 the nonvirtual program in a student's school district of residence or charter school.

29 4. When courses are purchased from an outside vendor, the district or charter school 30 shall ensure that they are aligned with the show-me curriculum standards and comply with state 31 requirements for teacher certification. The state board of education reserves the right to request 32 information and materials sufficient to evaluate the online course. Online classes should be 33 considered like any other class offered by the school district or charter school.

34 5. Any school district or charter school that offers instruction in a virtual setting, 35 develops a virtual course or courses, or develops a virtual program of instruction shall ensure that 36 the following standards are satisfied:

37 (1) The virtual course or virtual program utilizes appropriate content-specific tools and  
38 software;

39 (2) Orientation training is available for teachers, instructors, and students as needed;

40 (3) Privacy policies are stated and made available to teachers, instructors, and students;

41 (4) Academic integrity and internet etiquette expectations regarding lesson activities,  
42 discussions, electronic communications, and plagiarism are stated to teachers, instructors, and  
43 students prior to the beginning of the virtual course or virtual program;

44 (5) Computer system requirements, including hardware, web browser, and software, are  
45 specified to participants;

46 (6) The virtual course or virtual program architecture, software, and hardware permit the  
47 online teacher or instructor to add content, activities, and assessments to extend learning  
48 opportunities;

49 (7) The virtual course or virtual program makes resources available by alternative means,  
50 including but not limited to, video and podcasts;

51 (8) Resources and notes are available for teachers and instructors in addition to  
52 assessment and assignment answers and explanations;

53 (9) Technical support and course management are available to the virtual course or  
54 virtual program teacher and school coordinator;

55 (10) The virtual course or virtual program includes assignments, projects, and  
56 assessments that are aligned with students' different visual, auditory, and hands-on learning  
57 styles;

58 (11) The virtual course or virtual program demonstrates the ability to effectively use and  
59 incorporate subject-specific and developmentally appropriate software in an online learning  
60 module; and

61 (12) The virtual course or virtual program arranges media and content to help transfer  
62 knowledge most effectively in the online environment.

63 6. Any special school district shall count any student's completion of a virtual course or  
64 program in the same manner as the district counts completion of any other course or program for  
65 credit.

66 7. A school district or charter school may contract with multiple providers of virtual  
67 courses or virtual programs, provided they meet the criteria for virtual courses or virtual  
68 programs under this section.

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

4 **shall be included in the district's or charter school's calculation of average daily attendance**  
5 **if the program is:**

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

9 ~~[(b) That is]~~ b. Under contract with a district or charter school that has declared itself  
10 as a local educational agency and that meets standards established by the state board of  
11 education];

12 ~~shall be included in the district's or charter school's calculation of average daily attendance].~~

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

17 (2) If a pupil described under subdivision (1) of this subsection leaves an early childhood  
18 education program during the school year, a district or charter school shall be allowed to fill the  
19 vacant enrollment spot with another pupil between the ages of three and five who is eligible for  
20 free and reduced price lunch without affecting the district's or charter school's calculation of  
21 average daily attendance.

22 **(3) Notwithstanding the definition of average daily attendance in subdivision (2)**  
23 **of section 163.011 to the contrary, beginning with the 2021-22 school year, the attendance**  
24 **included in the average daily attendance of a district or charter school shall include the**  
25 **attendance hours of pupils who attend a half-day early childhood education program of**  
26 **the district or charter school in the current year. This subdivision shall apply only to a**  
27 **district or charter school that did not offer an early childhood education program during**  
28 **the 2020-21 school year.**

29 2. (1) In establishing standards for any early childhood education program that is under  
30 contract with a district or charter school that has declared itself as a local educational agency, the  
31 state board of education shall consider:

32 ~~[(1)]~~ (a) Whether a program offers full-day and full-year programming;

33 ~~[(2)]~~ (b) Whether a program has teacher-to-child ratios consistent with reasonable  
34 standards set by early childhood education program accrediting agencies;

35 ~~[(3)]~~ (c) Whether a program offers professional development supports for educators and  
36 the type of supports offered;

37 ~~[(4)]~~ (d) Whether a program uses appropriately credentialed educators;

38           ~~[(5)]~~ (e) Whether a program uses an early childhood education curriculum that has been  
39 approved by the department of elementary and secondary education and whether the curriculum  
40 is developmentally appropriate; and

41           ~~[(6)]~~ (f) Any other factor that the state board of education determines to be significant  
42 in ensuring that children achieve high levels of kindergarten readiness.

43           (2) The state board of education shall require that staff members of any early childhood  
44 education program that is under contract with a district or charter school that has declared itself  
45 as a local educational agency undergo background checks as described in section 168.133.

46           3. This section shall not require school attendance beyond that mandated under section  
47 167.031 and shall not change or amend the provisions of sections 160.051, 160.053, 160.054,  
48 and 160.055 relating to kindergarten attendance.

167.903. 1. Each student prior to ~~[his or her]~~ **the student's** ninth grade year at a public  
2 school, including a charter school, ~~[may]~~ **shall** develop with help from the **student's parent or**  
3 **guardian and the** school's guidance counselors ~~[a personal]~~ **an individual career and**  
4 **academic plan [of study]**, which shall be reviewed ~~[regularly, as needed]~~ **annually** by school  
5 personnel and the student's parent or guardian and updated based upon the needs of the student.  
6 Each plan shall present a sequence of courses and experiences that conclude with the student  
7 reaching ~~[his or her]~~ **the student's** postsecondary goals, with implementation of the plan ~~[of~~  
8 ~~study]~~ transferring to the program of postsecondary education or training upon the student's high  
9 school graduation. The plan shall include, but not be limited to:

10           (1) Requirements for graduation from the school district or charter school;

11           (2) Career or postsecondary goals;

12           (3) Coursework or program of study related to career and postsecondary goals, which  
13 shall include, if relevant, opportunities that the district or school may not directly offer;

14           (4) Grade-appropriate and career-related experiences, as outlined in the grade-level  
15 expectations of the Missouri comprehensive guidance program; and

16           (5) Student assessments, interest inventories, or academic results needed to develop,  
17 review, and revise the personal plan of study, which shall include, if relevant, assessments,  
18 inventories, or academic results that the school district or charter school may not offer.

19           2. Each school district shall adopt a policy to permit the waiver of the requirements of  
20 this section for any student with a disability if recommended by the student's IEP committee.  
21 For purposes of this subsection, "IEP" means individualized education program.

22           **3. Each student prior to the completion of the second semester of the student's**  
23 **twelfth-grade year shall include, as part of the student's individual career and academic**  
24 **plan, a declaration of the student's postsecondary plans including, but not limited to, the**  
25 **following:**

- 26           **(1) Confirmation of employment upon graduation;**  
27           **(2) Acceptance to an institution of higher education, whether a two-year institution**  
28 **or a four-year institution;**  
29           **(3) Acceptance to participate in a vocational, technical, or other training program**  
30 **designed to prepare the student for employment; or**  
31           **(4) Commitment to enlist in the Armed Forces of the United States.**

**167.907. 1. No pupil shall receive a certificate of graduation from any public school**  
2 **or charter school unless the pupil has completed and submitted the Free Application for**  
3 **Federal Student Aid, as maintained by the United States Department of Education.**

4           **2. A student shall be exempt from the requirement to complete or submit the Free**  
5 **Application for Federal Student Aid under subsection 1 of this section if such student**  
6 **submits to the student's school:**

7           **(1) Written confirmation of a commitment to enlist in the Armed Forces of the**  
8 **United States; or**

9           **(2) A written document or form, signed by the student's parent or guardian,**  
10 **attesting that the student understands what the application is and has chosen not to file**  
11 **such application.**

12           **3. A student shall be exempt from the requirement to complete or submit the Free**  
13 **Application for Federal Student Aid under subsection 1 of this section if such student is**  
14 **unable to complete the application because of extenuating circumstances.**

15           **4. This section shall become effective on July 1, 2022.**

**167.908. 1. The department of higher education and workforce development shall,**  
2 **by rule, establish a procedure for providing the means and capability for high school**  
3 **students enrolled in career and technical education programs described in section 170.029**  
4 **to complete an application for aid through the Employment and Training Administration**  
5 **of the United States Department of Labor under the federal Workforce Innovation and**  
6 **Opportunity Act. The department shall work with school districts that deliver career and**  
7 **technical education programs to educate students on the value of the aid that is available**  
8 **to them through the federal Workforce Innovation and Opportunity Act.**

9           **2. To accomplish the purposes of subsection 1 of this section, the department shall**  
10 **ensure that the following percentages of all department of elementary and secondary**  
11 **education are a career centers that deliver career and technical education programs have**  
12 **the means and capability for students at such schools to complete an application for aid**  
13 **through the Employment and Training Administration of the United States Department**  
14 **of Labor under the federal Workforce Innovation and Opportunity Act:**

15           **(1) For the 2021-22 school year, fifty percent;**



- 16           **(2) For the 2022-23 school year, seventy percent;**  
17           **(3) For the 2023-24 school year, ninety percent; and**  
18           **(4) For the 2024-25 school year and every school year thereafter, one hundred**  
19 **percent.**

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

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

(a) Upon the basis of college credit;

(b) Upon the basis of examination;

(2) By the state board, under rules and regulations prescribed by the state board with advice from the advisory council established by section 168.015 to any individual who presents to the state board a valid doctoral degree from an accredited institution of higher education accredited by a regional accrediting association such as North Central Association. Such certificate shall be limited to the major area of postgraduate study of the holder, shall be issued only after successful completion of the examination required for graduation pursuant to rules adopted by the state board of education, and shall be restricted to those certificates established pursuant to subdivision (2) of subsection 3 of this section;

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

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

(b) **a.** Successful attainment of the Missouri qualifying score on the exit assessment for teachers or administrators designated by the state board of education[-] ;

**b. (i)** Applicants who have not successfully achieved a qualifying score on the designated examinations will be issued a two-year nonrenewable provisional certificate;

**(ii) During the two-year nonrenewable provisional certification, an individual teacher may gain full professional certification by:**

**i. Achieving a qualifying score on the designated exam; or**

**ii. Successfully achieving an acceptable score on the state-approved teacher evaluation system from seven walk-through evaluations, two formative evaluations, and one summative evaluation for each of the two probationary years and being offered a third contract by the employing district. For any applicant who has a change in job status because of a reduction in the workforce or a change in life circumstances, the scores**

32 **required under this item may be scores achieved in any school district during the two-year**  
33 **nonrenewable provisional certification period;**

34 (iii) **The employing school district shall recommend to the department of**  
35 **elementary and secondary education that the individual teacher be awarded a full**  
36 **professional certification by the state board under rules prescribed by the state board;** and

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

40 (4) By the state board, under rules prescribed by it, on the basis of a relevant bachelor's  
41 degree, or higher degree, and a passing score for the designated exit examination, for individuals  
42 whose academic degree and professional experience are suitable to provide a basis for instruction  
43 solely in the subject matter of banking or financial responsibility, at the discretion of the state  
44 board. Such certificate shall be limited to the major area of study of the holder and shall be  
45 restricted to those certificates established under subdivision (2) of subsection 3 of this section.  
46 Holders of certificates granted under this subdivision shall be exempt from the teacher tenure act  
47 under sections 168.102 to 168.130 and each school district shall have the decision-making  
48 authority on whether to hire the holders of such certificates;

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

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

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

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

68 (d) Participation in a beginning teacher assistance program; or

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

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

76 ~~[(b)]~~ **b.** Appropriate and relevant bachelor's degree or higher, occupational license, or  
77 industry-recognized credential;

78 ~~[(c)]~~ **c.** Completion of the application for a one-year visiting scholars certificate; and

79 ~~[(d)]~~ **d.** Completion of a background check as prescribed under section 168.133.

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

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

95 3. (1) Certificates of license to teach in the public schools of the state shall be based  
96 upon minimum requirements prescribed by the state board of education which shall include  
97 completion of a background check as prescribed in section 168.133. The state board shall  
98 provide for the following levels of professional certification: an initial professional certificate  
99 and a career continuous professional certificate.

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

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

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

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

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

117 (b) The career continuous professional certificate shall be continuous based upon  
118 verification of actual employment in an educational position as provided for in state board  
119 guidelines and completion of fifteen contact hours of professional development per year which  
120 may include hours spent in class in an appropriate college curriculum. ~~Should~~ If the possessor  
121 of a valid career continuous professional certificate ~~fail~~ fails, in any given year, to meet the  
122 fifteen-hour professional development requirement, the possessor may, within two years, make  
123 up the missing hours. In order to make up for missing hours, the possessor shall first complete  
124 the fifteen-hour requirement for the current year and then may count hours in excess of the  
125 current year requirement as make-up hours. ~~Should~~ If the possessor ~~fail~~ fails to make up the  
126 missing hours within two years, the certificate shall become inactive. In order to reactivate the  
127 certificate, the possessor shall complete twenty-four contact hours of professional development  
128 which may include hours spent in the classroom in an appropriate college curriculum within the  
129 six months prior to or after reactivating ~~his or her~~ the possessor's certificate. The requirements  
130 of this paragraph shall be monitored and verified by the local school district ~~which~~ that  
131 employs the holder of the career continuous professional certificate.

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

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

137 b. Possesses a master's degree; or

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

139 4. Policies and procedures shall be established by which a teacher who was not retained  
140 due to a reduction in force may retain the current level of certification. There shall also be  
141 established policies and procedures allowing a teacher who has not been employed in an  
142 educational position for three years or more to reactivate ~~his or her~~ **the teacher's** last level of  
143 certification by completing twenty-four contact hours of professional development which may  
144 include hours spent in the classroom in an appropriate college curriculum within the six months  
145 prior to or after reactivating ~~his or her~~ **the teacher's** certificate.

146 5. The state board shall, upon completion of a background check as prescribed in section  
147 168.133, issue a professional certificate classification in the areas most closely aligned with an  
148 applicant's current areas of certification, commensurate with the years of teaching experience of  
149 the applicant, to any person who is hired to teach in a public school in this state and who  
150 possesses a valid teaching certificate from another state or certification under subdivision (4) of  
151 subsection 1 of this section, provided that the certificate holder shall annually complete the state  
152 board's requirements for such level of certification, and shall establish policies by which  
153 residents of states other than the state of Missouri may be assessed a fee for a certificate of  
154 license to teach in the public schools of Missouri. Such fee shall be in an amount sufficient to  
155 recover any or all costs associated with the issuing of a certificate of license to teach. The board  
156 shall promulgate rules to authorize the issuance of a provisional certificate of license, which shall  
157 be valid for three years and shall allow the holder to assume classroom duties pending the  
158 completion of a criminal background check under section 168.133, for any applicant who:

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

164 6. The state board may assess to holders of an initial professional certificate a fee, to be  
165 deposited into the excellence in education revolving fund established pursuant to section  
166 160.268, for the issuance of the career continuous professional certificate. However, such fee  
167 shall not exceed the combined costs of issuance and any criminal background check required as  
168 a condition of issuance. Applicants for the initial ABCTE certificate shall be responsible for any  
169 fees associated with the program leading to the issuance of the certificate, but nothing in this  
170 section shall prohibit a district from developing a policy that permits fee reimbursement.

171 7. Any member of the public school retirement system of Missouri who entered covered  
172 employment with ten or more years of educational experience in another state or states and held  
173 a certificate issued by another state and subsequently worked in a school district covered by the  
174 public school retirement system of Missouri for ten or more years who later became certificated

175 in Missouri shall have that certificate dated back to ~~[his or her]~~ **the member's** original date of  
176 employment in a Missouri public school.

177 8. Within thirty days of receiving an application from a spouse of an active duty member  
178 of the Armed Forces of the United States who has been transferred or is scheduled to be  
179 transferred to the state of Missouri, or who has been transferred or is scheduled to be transferred  
180 to an adjacent state and is or will be domiciled in the state of Missouri, or has moved to the state  
181 of Missouri on a permanent change-of-station basis and has successfully completed the  
182 background check described under subsection 5 of this section and section 168.133, the state  
183 board shall issue to such applicant a full certificate of license to teach, provided that the applicant  
184 has paid all necessary fees and has otherwise met all requirements to be issued such a certificate.

169.596. 1. Notwithstanding any other provision of this chapter to the contrary, a retired  
2 certificated teacher receiving a retirement benefit from the retirement system established  
3 pursuant to sections 169.010 to 169.141 may, without losing ~~[his or her]~~ **such teacher's**  
4 retirement benefit, ~~[teach]~~ **be employed** full time for up to ~~[two]~~ **four** years for a school district  
5 covered by such retirement system; provided that the school district has a shortage of certified  
6 teachers, as determined by the school district~~]; and provided that no such retired certificated~~  
7 ~~teacher shall be employed as a superintendent. The total number of such retired certificated~~  
8 ~~teachers shall not exceed, at any one time, the lesser of ten percent of the total teacher staff for~~  
9 ~~that school district, or five certificated teachers].~~ **A retired certificated teacher receiving a**  
10 **retirement benefit from the retirement system established under sections 169.010 to**  
11 **169.141 may be employed full time for up to two years as a superintendent under this**  
12 **subsection only if such teacher meets the certification requirements for a superintendent**  
13 **and such teacher has been retired for at least twelve months prior to such employment**  
14 **unless such employment is immediately necessary due to death, disability, or termination**  
15 **for cause of the superintendent who held the position being filled.**

16 2. Notwithstanding any other provision of this chapter to the contrary, a retired  
17 certificated teacher with creditable service, as defined in section 169.010, as a  
18 superintendent and who is receiving a retirement benefit from the retirement system  
19 established under sections 169.010 to 169.141 may, without losing such teacher's retirement  
20 benefit, **be employed full-time for up to four years for a school district covered by such**  
21 **retirement system if the school district has a shortage of certified teachers as determined**  
22 **by the school district. A retired certificated teacher with creditable service, as defined in**  
23 **section 169.010, as a superintendent and who is receiving a retirement benefit from the**  
24 **retirement system established under sections 169.010 to 169.141 may be employed full-time**  
25 **for up to two years as a superintendent under this subsection only if such teacher has been**  
26 **retired for at least twelve months prior to such employment unless such employment is**

27 **immediately necessary due to death, disability, or termination for cause of the**  
 28 **superintendent who held the position being filled.**

29 **3.** Notwithstanding any other provision of this chapter to the contrary, a person receiving  
 30 a retirement benefit from the retirement system established pursuant to sections 169.600 to  
 31 169.715 may, without losing ~~[his or her]~~ **such person's** retirement benefit, be employed full time  
 32 for up to ~~[two]~~ **four** years for a school district covered by such retirement system; provided that  
 33 the school district has a shortage of noncertificated employees, as determined by the school  
 34 district. ~~[The total number of such retired noncertificated employees shall not exceed, at any one~~  
 35 ~~time, the lesser of ten percent of the total noncertificated staff for that school district, or five~~  
 36 ~~employees.]~~

37 **4. The total number of retired members working for a school district under**  
 38 **subsections 1 and 2 of this section shall not exceed, at any one time, the lesser of:**

39 **(1) Ten percent of the total number of employees for that district; or**

40 **(2) Ten employees.**

41 ~~[3-]~~ **5.** The employer's contribution rate shall be paid by the hiring school district.

42 ~~[4-]~~ **6.** In order to hire ~~[teachers and noncertificated employees pursuant to]~~ **retired**  
 43 **members under** the provisions of this section, the school district shall:

44 (1) Show a good faith effort to fill positions with nonretired certificated teachers or  
 45 nonretired noncertificated employees;

46 (2) Post the vacancy for at least one month;

47 (3) Have not offered early retirement incentives for either of the previous two years;

48 (4) Solicit applications through the local newspaper, other media, or teacher education  
 49 programs;

50 (5) Determine there is an insufficient number of eligible applicants for the advertised  
 51 position; and

52 (6) Declare a critical shortage of certificated teachers or noncertificated employees that  
 53 is active for one year.

54 ~~[5-]~~ **7.** Any person hired pursuant to this section shall be included in the State Directory  
 55 of New Hires for purposes of income and eligibility verification pursuant to 42 U.S.C. Section  
 56 1320b-7, **as amended.**

Section B. The repeal and reenactment of section 169.596 of this act shall become  
 2 effective on January 1, 2022, and the repeal and reenactment of section 167.903 of this act shall  
 3 become effective on July 1, 2022.

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