

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/SCS/House Bill No. 1490, Page 20, Section 161.096, Line 24

2 of said page, by inserting after all of said line the following:

3 "161.097. 1. The state board of education and the

4 coordinating board for higher education shall jointly establish

5 standards and procedures by which [it] they will evaluate all

6 teacher training institutions in this state [for the approval of

7 teacher education programs. The state board of education shall

8 not require teacher training institutions to meet national or

9 regional accreditation as a part of its standards and procedures

10 in making those evaluations, but it may accept such

11 accreditations in lieu of such approval if standards and

12 procedures set thereby are at least as stringent as those set by

13 the board. The state board of education's standards and

14 procedures for evaluating teacher training institutions shall

15 equal or exceed those of national or regional accrediting

16 associations] with the guidance and approval of the Missouri

17 advisory board for educator preparation, established under

18 subsection 3 of this section. Notwithstanding any other

19 provision of law, the state board of education and the

20 coordinating board for higher education shall approve all teacher

21 education programs and any changes to the standards and

22 procedures by which such programs are evaluated.

1 2. With regard to requirements for state educator
2 certification, any assessments of general education, content
3 knowledge, pedagogical knowledge, dispositions, or any other
4 measures required for state educator certification and any
5 related competencies shall be approved by the state board of
6 education and the coordinating board for higher education prior
7 to utilization in any manner. Any assessment used to measure
8 student learning that is used in the evaluation of educator
9 preparation programs and any related competencies shall be
10 approved by the state board of education and the coordinating
11 board for higher education prior to utilization in any manner.
12 All current assessments and competencies and those under
13 development, as well as future competencies and assessments shall
14 be approved by the state board of education and the coordinating
15 board for higher education prior to utilization in any manner.
16 Qualifying scores on such assessments shall be established
17 jointly by the state board of education and the coordinating
18 board for higher education. No quotas on educator preparation
19 programs or limits on program size shall be imposed by the state
20 board of education without consent of the coordinating board for
21 higher education and the institution of higher education
22 providing the program. However, institutions of higher education
23 may establish quotas for specific educator preparation programs
24 as deemed necessary.

25 3. There is hereby established within the department of
26 elementary and secondary education the "Missouri Advisory Board
27 for Educator Preparation", hereinafter referred to as "MABEP".
28 The MABEP shall advise the state board of education and the
29 coordinating board for higher education as provided in this

1 section and foster meaningful and substantial collaboration and
2 transparency among all stakeholders in the interest of improving
3 the quality of teacher preparation in Missouri.

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

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

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

20 (2) One practicing certified public school administrator
21 with direct responsibility for the evaluation of educators,
22 selected by the state board of education upon the recommendation
23 of the commissioner of education;

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

28 (4) One practicing certificated public school teacher who
29 has served as a teacher mentor, selected by the state board of

1 education upon the recommendation of the commissioner of
2 education;

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

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

12 (7) One employee of the department of elementary and
13 secondary education whose responsibilities include educator
14 preparation or certification, selected by the commissioner of
15 education;

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

20 (9) One dean or director of a college or program of
21 educator preparation for a public four-year university, selected
22 by the coordinating board for higher education upon the
23 recommendation of the commissioner of higher education;

24 (10) One director of an educator preparation program of a
25 public community college, selected by the coordinating board for
26 higher education upon the recommendation of the commissioner of
27 higher education;

28 (11) One dean of a college of education or director of an
29 educator preparation program of an independent college or

1 university, selected by the coordinating board for higher
2 education upon the recommendation of the commissioner of higher
3 education;

4 (12) One dean or director within an approved educator
5 preparation program, selected by the coordinating board for
6 higher education upon the recommendation of the commissioner of
7 higher education;

8 (13) One student enrolled in an approved program of
9 educator preparation of a public or independent university,
10 selected by the commissioner of higher education;

11 (14) One employee of the department of higher education
12 with responsibility for the approval of degree programs, selected
13 by the commissioner of higher education.

14 6. The duties and responsibilities of the MABEP shall
15 include, but not be limited to the following:

16 (1) Meet with the commissioners of education and higher
17 education to discuss policy issues and proposed changes to
18 standards and practices related to educator preparation programs;

19 (2) Make public recommendations to the commissioners of
20 education and higher education regarding the criteria and
21 procedures for evaluation and approval of educator degree
22 programs and educator preparation programs within the state;

23 (3) Facilitate communication by inviting subject matter and
24 educator preparation experts and constituencies with an interest
25 in developing highly effective educators to meet with the MABEP
26 for the purpose of identifying, reviewing and promoting best
27 practices and standards in educator preparation and professional
28 development;

29 (4) Present annually to the state board of education and

1 coordinating board for higher education to discuss matters of
2 mutual interest in the area of educator preparation as presented
3 by the rotating chairs of MABEP; and

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

8 7. MABEP shall meet at least two times annually, but may
9 meet more frequently if requested by either board, the
10 commissioner of education or the commissioner of higher
11 education. MABEP shall be chaired by the commissioner of
12 education, or his or her designee, and the commissioner of higher
13 education, or his or her designee, in alternating years.

14 8. Upon approval by the state board of education of the
15 teacher education program at a particular teacher training
16 institution, any person who graduates from that program, and who
17 meets other requirements which the state board of education shall
18 prescribe by rule, regulation and statute shall be granted a
19 certificate or license to teach in the public schools of this
20 state. The state board of education shall not approve any
21 teacher education program prior to receiving a formal
22 recommendation on that approval from the coordinating board for
23 higher education. However, no such rule or regulation shall
24 require that the program from which the person graduates be
25 accredited by any national or regional accreditation association.

26 3. Notwithstanding any provision in the law to the
27 contrary, the state board of education may accredit a graduate
28 law school and any graduate of such an accredited law school
29 shall be allowed to take the examination for admission to the bar

1 of Missouri."; and

2 Further amend said bill, Page 22, Section 161.855, line 8 of
3 said page, by inserting after all of said line the following:

4 "173.005. 1. There is hereby created a "Department of
5 Higher Education", and the division of higher education of the
6 department of education is abolished and all its powers, duties,
7 functions, personnel and property are transferred as provided by
8 the Reorganization Act of 1974, Appendix B, RSMo.

9 2. The commission on higher education is abolished and all
10 its powers, duties, personnel and property are transferred by
11 type I transfer to the "Coordinating Board for Higher Education",
12 which is hereby created, and the coordinating board shall be the
13 head of the department. The coordinating board shall consist of
14 nine members appointed by the governor with the advice and
15 consent of the senate, and not more than five of its members
16 shall be of the same political party. None of the members shall
17 be engaged professionally as an educator or educational
18 administrator with a public or private institution of higher
19 education at the time appointed or during his term. Moreover, no
20 person shall be appointed to the coordinating board who shall not
21 be a citizen of the United States, and who shall not have been a
22 resident of the state of Missouri two years next prior to
23 appointment, and at least one but not more than two persons shall
24 be appointed to said board from each congressional district. The
25 term of service of a member of the coordinating board shall be
26 six years and said members, while attending the meetings of the
27 board, shall be reimbursed for their actual expenses.

28 Notwithstanding any provision of law to the contrary, nothing in
29 this section relating to a change in the composition and

1 configuration of congressional districts in this state shall
2 prohibit a member who is serving a term on August 28, 2011, from
3 completing his or her term. The coordinating board may, in order
4 to carry out the duties prescribed for it in subsections 1, 2, 3,
5 7, and 8 of this section, employ such professional, clerical and
6 research personnel as may be necessary to assist it in performing
7 those duties, but this staff shall not, in any fiscal year,
8 exceed twenty-five full-time equivalent employees regardless of
9 the source of funding. In addition to all other powers, duties
10 and functions transferred to it, the coordinating board for
11 higher education shall have the following duties and
12 responsibilities:

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

20 (2) The coordinating board for higher education may promote
21 and encourage the development of cooperative agreements between
22 Missouri public four-year institutions of higher education which
23 do not offer graduate degrees and Missouri public four-year
24 institutions of higher education which do offer graduate degrees
25 for the purpose of offering graduate degree programs on campuses
26 of those public four-year institutions of higher education which
27 do not otherwise offer graduate degrees. Such agreements shall
28 identify the obligations and duties of the parties, including
29 assignment of administrative responsibility. Any diploma awarded

1 for graduate degrees under such a cooperative agreement shall
2 include the names of both institutions inscribed thereon. Any
3 cooperative agreement in place as of August 28, 2003, shall
4 require no further approval from the coordinating board for
5 higher education. Any costs incurred with respect to the
6 administrative provisions of this subdivision may be paid from
7 state funds allocated to the institution assigned the
8 administrative authority for the program. The provisions of this
9 subdivision shall not be construed to invalidate the provisions
10 of subdivision (1) of this subsection;

11 (3) In consultation with the heads of the institutions of
12 higher education affected and against a background of carefully
13 collected data on enrollment, physical facilities, manpower
14 needs, and institutional missions, the coordinating board for
15 higher education shall establish guidelines for appropriation
16 requests by those institutions of higher education; however,
17 other provisions of the Reorganization Act of 1974
18 notwithstanding, all funds shall be appropriated by the general
19 assembly to the governing board of each public four-year
20 institution of higher education which shall prepare expenditure
21 budgets for the institution;

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

25 (5) The coordinating board for higher education shall
26 establish admission guidelines consistent with institutional
27 missions;

28 (6) The coordinating board for higher education shall
29 require all public two-year and four-year higher education

1 institutions to replicate best practices in remediation
2 identified by the coordinating board and institutions from
3 research undertaken by regional educational laboratories, higher
4 education research organizations, and similar organizations with
5 expertise in the subject, and identify and reduce methods that
6 have been found to be ineffective in preparing or retaining
7 students or that delay students from enrollment in college-level
8 courses;

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

12 (8) The coordinating board shall establish guidelines to
13 promote and facilitate the transfer of students between
14 institutions of higher education within the state and, with the
15 assistance of the committee on transfer and articulation, shall
16 require all public two-year and four-year higher education
17 institutions to create by July 1, 2014, a statewide core transfer
18 library of at least twenty-five lower division courses across all
19 institutions that are transferable among all public higher
20 education institutions. The coordinating board shall establish
21 policies and procedures to ensure such courses are accepted in
22 transfer among public institutions and treated as equivalent to
23 similar courses at the receiving institutions. The coordinating
24 board shall develop a policy to foster reverse transfer for any
25 student who has accumulated enough hours in combination with at
26 least one public higher education institution in Missouri that
27 offers an associate degree and one public four-year higher
28 education institution in the prescribed courses sufficient to
29 meet the public higher education institution's requirements to be

1 awarded an associate degree. The department of elementary and
2 secondary education shall maintain the alignment of the
3 assessments found in section 160.518 and successor assessments
4 with the competencies previously established under this
5 subdivision for entry-level collegiate courses in English,
6 mathematics, foreign language, sciences, and social sciences
7 associated with an institution's general education core;

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

14 (10) Compliance with requests from the coordinating board
15 for institutional information and the other powers, duties and
16 responsibilities, herein assigned to the coordinating board,
17 shall be a prerequisite to the receipt of any funds which the
18 coordinating board is responsible for administering;

19 (11) If any institution of higher education in this state,
20 public or private, willfully fails or refuses to follow any
21 lawful guideline, policy or procedure established or prescribed
22 by the coordinating board, or knowingly deviates from any such
23 guideline, or knowingly acts without coordinating board approval
24 where such approval is required, or willfully fails to comply
25 with any other lawful order of the coordinating board, the
26 coordinating board may, after a public hearing, withhold or
27 direct to be withheld from that institution any funds the
28 disbursement of which is subject to the control of the
29 coordinating board, or may remove the approval of the institution

1 as an approved institution within the meaning of section
2 173.1102. If any such public institution willfully disregards
3 board policy, the commissioner of higher education may order such
4 institution to remit a fine in an amount not to exceed one
5 percent of the institution's current fiscal year state operating
6 appropriation to the board. The board shall hold such funds
7 until such time that the institution, as determined by the
8 commissioner of higher education, corrects the violation, at
9 which time the board shall refund such amount to the institution.
10 If the commissioner determines that the institution has not
11 redressed the violation within one year, the fine amount shall be
12 deposited into the general revenue fund, unless the institution
13 appeals such decision to the full coordinating board, which shall
14 have the authority to make a binding and final decision, by means
15 of a majority vote, regarding the matter. However, nothing in
16 this section shall prevent any institution of higher education in
17 this state from presenting additional budget requests or from
18 explaining or further clarifying its budget requests to the
19 governor or the general assembly; and

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

23 a. Is controlled or administered directly by a public
24 agency or political subdivision or is classified as a public
25 institution by the state;

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

28 c. Provides a postsecondary course of instruction at least
29 six months in length leading to or directly creditable toward a

1 degree or certificate;

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

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

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

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

13 b. The board's approval process of degree programs and
14 courses offered by any out-of-state public institutions of higher
15 education that, prior to July 1, 2008, were approved by the board
16 to operate a school in compliance with the provisions of sections
17 173.600 to 173.618. The rules shall ensure that, as of July 1,
18 2008, all out-of-state public institutions seeking to offer
19 degrees and courses within the state of Missouri are evaluated in
20 a manner similar to Missouri public higher education
21 institutions. Such out-of-state public institutions shall be
22 held to standards no lower than the standards established by the
23 coordinating board for program approval and the policy guidelines
24 of the coordinating board for data collection, cooperation, and
25 resolution of disputes between Missouri institutions of higher
26 education under this section. Any such out-of-state public
27 institutions of higher education wishing to continue operating
28 within this state must be approved by the board under the rules
29 promulgated under this subdivision. The coordinating board may

1 charge and collect fees from out-of-state public institutions to
2 cover the costs of reviewing and assuring the quality of programs
3 offered by out-of-state public institutions. Any rule or portion
4 of a rule, as that term is defined in section 536.010, that is
5 created under the authority delegated in this section shall
6 become effective only if it complies with and is subject to all
7 of the provisions of chapter 536 and, if applicable, section
8 536.028. This section and chapter 536 are nonseverable and if
9 any of the powers vested with the general assembly under chapter
10 536 to review, to delay the effective date, or to disapprove and
11 annul a rule are subsequently held unconstitutional, then the
12 grant of rulemaking authority and any rule proposed or adopted
13 after August 28, 2007, shall be invalid and void.

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

19 3. The coordinating board shall meet at least four times
20 annually with an advisory committee who shall be notified in
21 advance of such meetings. The coordinating board shall have
22 exclusive voting privileges. The advisory committee shall
23 consist of thirty-two members, who shall be the president or
24 other chief administrative officer of the University of Missouri;
25 the chancellor of each campus of the University of Missouri; the
26 president of each state-supported four-year college or
27 university, including Harris-Stowe State University, Missouri
28 Southern State University, Missouri Western State University, and
29 Lincoln University; the president of State Technical College of

1 Missouri; the president or chancellor of each public community
2 college district; and representatives of each of five accredited
3 private institutions selected biennially, under the supervision
4 of the coordinating board, by the presidents of all of the
5 state's privately supported institutions; but always to include
6 at least one representative from one privately supported
7 community college, one privately supported four-year college, and
8 one privately supported university. The conferences shall enable
9 the committee to advise the coordinating board of the views of
10 the institutions on matters within the purview of the
11 coordinating board.

12 4. The University of Missouri, Lincoln University, and all
13 other state-governed colleges and universities, chapters 172,
14 174, 175, and others, are transferred by type III transfers to
15 the department of higher education subject to the provisions of
16 subsection 2 of this section.

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

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

21 7. All the powers, duties and functions vested in the
22 division of public schools and state board of education relating
23 to community college state aid and the supervision, formation of
24 districts and all matters otherwise related to the state's
25 relations with community college districts and matters pertaining
26 to community colleges in public school districts, chapters 163,
27 178, and others, are transferred to the coordinating board for
28 higher education by type I transfer. Provided, however, that all
29 responsibility for administering the federal-state programs of

1 vocational-technical education, except for the 1202a
2 postsecondary educational amendments of 1972 program, shall
3 remain with the department of elementary and secondary education.
4 The department of elementary and secondary education and the
5 coordinating board for higher education shall cooperate in
6 developing the various plans for vocational-technical education;
7 however, the ultimate responsibility will remain with the state
8 board of education.

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

18 Further amend the title and enacting clause accordingly.
19