

# SENATE BILL NO. 1206

## 101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR ONDER.

3521S.071

ADRIANE D. CROUSE, Secretary

### AN ACT

To repeal sections 160.518, 160.545, 161.092, 163.023, 168.021, and 168.110, RSMo, and to enact in lieu thereof seven new sections relating to school operations.

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

Section A. Sections 160.518, 160.545, 161.092, 163.023,  
2 168.021, and 168.110, RSMo, are repealed and seven new sections  
3 enacted in lieu thereof, to be known as sections 160.518,  
4 160.545, 161.092, 162.084, 163.023, 168.021, and 168.110, to  
5 read as follows:

160.518. 1. Consistent with the provisions contained  
2 in section 160.526, the state board of education shall  
3 develop, modify, and revise, as necessary, a statewide  
4 assessment system [that provides maximum flexibility] for  
5 local school districts to determine the degree to which  
6 students in the public schools of the state are proficient  
7 in the knowledge, skills, and competencies adopted by such  
8 board pursuant to section 160.514. The statewide assessment  
9 system shall assess problem solving, analytical ability,  
10 evaluation, creativity, and application ability in the  
11 different content areas and shall be performance-based to  
12 identify what students know, as well as what they are able  
13 to do, and shall enable teachers to evaluate actual academic  
14 performance. The statewide assessment system shall neither  
15 promote nor prohibit rote memorization and shall not include  
16 existing versions of tests approved for use pursuant to the

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

17 provisions of section 160.257, nor enhanced versions of such  
18 tests. After the state board of education adopts and  
19 implements academic performance standards as required under  
20 section 161.855, the state board of education shall develop  
21 and adopt a standardized assessment instrument under this  
22 section based on the academic performance standards adopted  
23 under section 161.855. The statewide assessment system  
24 shall measure, where appropriate by grade level, a student's  
25 knowledge of academic subjects including, but not limited  
26 to, reading skills, writing skills, mathematics skills,  
27 world and American history, forms of government, geography  
28 and science.

29 2. [The statewide assessment system shall only permit  
30 the academic performance of students in each school in the  
31 state to be tracked against prior academic performance in  
32 the same school.

33 3.] The state board of education shall suggest, but not  
34 mandate, criteria for a school to demonstrate that its  
35 students learn the knowledge, skills and competencies at  
36 exemplary levels worthy of imitation by students in other  
37 schools in the state and nation. Exemplary levels shall be  
38 measured by the statewide assessment system developed  
39 pursuant to subsection 1 of this section, or until said  
40 statewide assessment system is available, by indicators  
41 approved for such use by the state board of education. The  
42 provisions of other law to the contrary notwithstanding, the  
43 commissioner of education may, upon request of the school  
44 district, present a plan for the waiver of rules and  
45 regulations to any such school, to be known as "Outstanding  
46 Schools Waivers", consistent with the provisions of  
47 subsection [4] 3 of this section.

48           [4.] 3. For any school that meets the criteria  
49 established by the state board of education for three  
50 successive school years pursuant to the provisions of  
51 subsection [3] 2 of this section, by August first following  
52 the third such school year, the commissioner of education  
53 shall present a plan to the superintendent of the school  
54 district in which such school is located for the waiver of  
55 rules and regulations to promote flexibility in the  
56 operations of the school and to enhance and encourage  
57 efficiency in the delivery of instructional services. The  
58 provisions of other law to the contrary notwithstanding, the  
59 plan presented to the superintendent shall provide a summary  
60 waiver, with no conditions, for the pupil testing  
61 requirements pursuant to section 160.257, in the school.  
62 Further, the provisions of other law to the contrary  
63 notwithstanding, the plan shall detail a means for the  
64 waiver of requirements otherwise imposed on the school  
65 related to the authority of the state board of education to  
66 classify school districts pursuant to subdivision (9) of  
67 **subsection 2 of** section 161.092 and such other rules and  
68 regulations as determined by the commissioner of education,  
69 excepting such waivers shall be confined to the school and  
70 not other schools in the district unless such other schools  
71 meet the criteria established by the state board of  
72 education consistent with subsection [3] 2 of this section  
73 and the waivers shall not include the requirements contained  
74 in this section and section 160.514. Any waiver provided to  
75 any school as outlined in this subsection shall be void on  
76 June thirtieth of any school year in which the school fails  
77 to meet the criteria established by the state board of  
78 education consistent with subsection [3] 2 of this section.

79 [5.] 4. The score on any assessment test developed  
80 pursuant to this section or this chapter of any student for  
81 whom English is a second language shall not be counted until  
82 such time as such student has been educated for three full  
83 school years in a school in this state, or in any other  
84 state, in which English is the primary language.

85 [6.] 5. The state board of education shall identify  
86 or, if necessary, establish one or more developmentally  
87 appropriate alternate assessments for students who receive  
88 special educational services, as that term is defined  
89 pursuant to section 162.675. In the development of such  
90 alternate assessments, the state board shall establish an  
91 advisory panel consisting of a majority of active special  
92 education teachers residing in Missouri and other education  
93 professionals as appropriate to research available  
94 assessment options. The advisory panel shall attempt to  
95 identify preexisting developmentally appropriate alternate  
96 assessments but shall, if necessary, develop alternate  
97 assessments and recommend one or more alternate assessments  
98 for adoption by the state board. The state board shall  
99 consider the recommendations of the advisory council in  
100 establishing such alternate assessment or assessments. Any  
101 student who receives special educational services, as that  
102 term is defined pursuant to section 162.675, shall be  
103 assessed by an alternate assessment established pursuant to  
104 this subsection upon a determination by the student's  
105 individualized education program team that such alternate  
106 assessment is more appropriate to assess the student's  
107 knowledge, skills and competencies than the assessment  
108 developed pursuant to subsection 1 of this section. The  
109 alternate assessment shall evaluate the student's  
110 independent living skills, which include how effectively the

111 student addresses common life demands and how well the  
112 student meets standards for personal independence expected  
113 for someone in the student's age group, sociocultural  
114 background, and community setting.

115 [7.] 6. The state board of education shall also  
116 develop recommendations regarding alternate assessments for  
117 any military dependent who relocates to Missouri after the  
118 commencement of a school term, in order to accommodate such  
119 student while ensuring that [he or she] **such student** is  
120 proficient in the knowledge, skills, and competencies  
121 adopted under section 160.514.

160.545. 1. There is hereby established within the  
2 department of elementary and secondary education the "A+  
3 Schools Program" to be administered by the commissioner of  
4 education. The program shall consist of grant awards made  
5 to public secondary schools that demonstrate a commitment to  
6 ensure that:

7 (1) All students be graduated from school;

8 (2) All students complete a selection of high school  
9 studies that is challenging and for which there are  
10 identified learning expectations; and

11 (3) All students:

12 (a) Earn credits toward any type of college degree  
13 while in high school; or

14 (b) Proceed from high school graduation to a college  
15 or postsecondary vocational or technical school or high-wage  
16 job with work place skill development opportunities.

17 2. The state board of education shall promulgate rules  
18 and regulations for the approval of grants made under the  
19 program to schools that:

20 (1) Establish measurable districtwide performance  
21 standards for the goals of the program outlined in  
22 subsection 1 of this section; and

23 (2) Specify the knowledge, skills and competencies, in  
24 measurable terms, that students must demonstrate to  
25 successfully complete any individual course offered by the  
26 school, and any course of studies [which] **that** will qualify  
27 a student for graduation from the school; and

28 (3) Do not offer a general track of courses that, upon  
29 completion, can lead to a high school diploma; and

30 (4) Require rigorous coursework with standards of  
31 competency in basic academic subjects for students pursuing  
32 vocational and technical education as prescribed by rule and  
33 regulation of the state board of education; and

34 (5) Have a partnership plan developed in cooperation  
35 and with the advice of local business persons, labor  
36 leaders, parents, and representatives of college and  
37 postsecondary vocational and technical school  
38 representatives, with the plan then approved by the local  
39 board of education. The plan shall specify a mechanism to  
40 receive information on an annual basis from those who  
41 developed the plan in addition to senior citizens, community  
42 leaders, and teachers to update the plan in order to best  
43 meet the goals of the program as provided in subsection 1 of  
44 this section. Further, the plan shall detail the procedures  
45 used in the school to identify students that may drop out of  
46 school and the intervention services to be used to meet the  
47 needs of such students. The plan shall outline counseling  
48 and mentoring services provided to students who will enter  
49 the work force upon graduation from high school, address  
50 apprenticeship and intern programs, and shall contain  
51 procedures for the recruitment of volunteers from the

52 community of the school to serve in schools receiving  
53 program grants.

54         3. Any nonpublic school in this state may apply to the  
55 state board of education for certification that it meets the  
56 requirements of this section subject to the same criteria as  
57 public high schools. Every nonpublic school that applies  
58 and has met the requirements of this section shall have its  
59 students eligible for reimbursement of postsecondary  
60 education under subsection 8 of this section on an equal  
61 basis to students who graduate from public schools that meet  
62 the requirements of this section. Any nonpublic school that  
63 applies shall not be eligible for any grants under this  
64 section. Students of certified nonpublic schools shall be  
65 eligible for reimbursement of postsecondary education under  
66 subsection 8 of this section so long as they meet the other  
67 requirements of such subsection. For purposes of  
68 subdivision (5) of subsection 2 of this section, the  
69 nonpublic school shall be included in the partnership plan  
70 developed by the public school district in which the  
71 nonpublic school is located. For purposes of subdivision  
72 (1) of subsection 2 of this section, the nonpublic school  
73 shall establish measurable performance standards for the  
74 goals of the program for every school and grade level over  
75 which the nonpublic school maintains control.

76         4. A school district may participate in the program  
77 irrespective of its accreditation classification by the  
78 state board of education, provided it meets all other  
79 requirements.

80         5. By rule and regulation, the state board of  
81 education may determine a local school district variable  
82 fund match requirement in order for a school or schools in  
83 the district to receive a grant under the program. However,

84 no school in any district shall receive a grant under the  
85 program unless the district designates a salaried employee  
86 to serve as the program coordinator, with the district  
87 assuming a minimum of one-half the cost of the salary and  
88 other benefits provided to the coordinator. Further, no  
89 school in any district shall receive a grant under the  
90 program unless the district makes available facilities and  
91 services for adult literacy training as specified by rule of  
92 the state board of education.

93 6. For any school that meets the requirements for the  
94 approval of the grants authorized by this section and  
95 specified in subsection 2 of this section for three  
96 successive school years, by August first following the third  
97 such school year, the commissioner of education shall  
98 present a plan to the superintendent of the school district  
99 in which such school is located for the waiver of rules and  
100 regulations to promote flexibility in the operations of the  
101 school and to enhance and encourage efficiency in the  
102 delivery of instructional services in the school. The  
103 provisions of other law to the contrary notwithstanding, the  
104 plan presented to the superintendent shall provide a summary  
105 waiver, with no conditions, for the pupil testing  
106 requirements pursuant to section 160.257 in the school.  
107 Further, the provisions of other law to the contrary  
108 notwithstanding, the plan shall detail a means for the  
109 waiver of requirements otherwise imposed on the school  
110 related to the authority of the state board of education to  
111 classify school districts pursuant to subdivision (9) of  
112 **subsection 2 of** section 161.092 and such other rules and  
113 regulations as determined by the commissioner of education,  
114 except such waivers shall be confined to the school and not  
115 other schools in the school district unless such other

116 schools meet the requirements of this subsection. However,  
117 any waiver provided to any school as outlined in this  
118 subsection shall be void on June thirtieth of any school  
119 year in which the school fails to meet the requirements for  
120 the approval of the grants authorized by this section as  
121 specified in subsection 2 of this section.

122         7. For any school year, grants authorized by  
123 subsections 1, 2, and 5 of this section shall be funded with  
124 the amount appropriated for this program, less those funds  
125 necessary to reimburse eligible students pursuant to  
126 subsection 8 or 9 of this section.

127         8. The department of higher education and workforce  
128 development shall, by rule, establish a procedure for the  
129 reimbursement of the cost of tuition, books and fees to any  
130 public community college or vocational or technical school  
131 or within the limits established in subsection 11 of this  
132 section for any two-year private vocational or technical  
133 school for any student:

134             (1) Who has attended a high school in the state for at  
135 least two years that meets the requirements of subsection 2  
136 of this section and who has graduated from such a school;  
137 except that, students who are active duty military  
138 dependents, and students who are dependents of retired  
139 military who relocate to Missouri within one year of the  
140 date of the parent's retirement from active duty who meet  
141 all other requirements of this subsection and are attending  
142 a school that meets the requirements of subsection 2 of this  
143 section shall be exempt from the two-year attendance  
144 requirement of this subdivision; and

145             (2) Who has made a good faith effort to first secure  
146 all available federal sources of funding that could be

147 applied to the reimbursement described in this subsection;  
148 and

149 (3) Who has earned a minimal grade average while in  
150 high school or through the semester immediately before  
151 taking the course for which reimbursement is sought as  
152 determined by rule of the department of higher education and  
153 workforce development, and other requirements for the  
154 reimbursement authorized by this subsection as determined by  
155 rule and regulation of the department; and

156 (4) Who is a citizen or permanent resident of the  
157 United States.

158 9. The department of higher education and workforce  
159 development shall, by rule, establish a procedure for the  
160 reimbursement of the cost of tuition, and fees for any dual-  
161 credit or dual-enrollment course offered to a student in  
162 high school in association with an institution of higher  
163 education or vocational or technical school, subject to the  
164 requirements of subsection 11 of this section, for any  
165 student who meets the requirements established in subsection  
166 8 of this section immediately before taking the course for  
167 which reimbursement is sought.

168 10. The commissioner of education shall develop a  
169 procedure for evaluating the effectiveness of the program  
170 described in this section. Such evaluation shall be  
171 conducted annually with the results of the evaluation  
172 provided to the governor, speaker of the house, and  
173 president pro tempore of the senate.

174 11. For a two-year private vocational or technical  
175 school to obtain reimbursements under subsection 8 or 9 of  
176 this section, the following requirements shall be satisfied:

177 (1) Such two-year private vocational or technical  
178 school shall be a member of the North Central Association

179 and be accredited by the Higher Learning Commission as of  
180 July 1, 2008, and maintain such accreditation;

181 (2) Such two-year private vocational or technical  
182 school shall be designated as a 501(c)(3) nonprofit  
183 organization under the Internal Revenue Code of 1986, as  
184 amended;

185 (3) No two-year private vocational or technical school  
186 shall receive tuition reimbursements in excess of the  
187 tuition rate charged by a public community college for  
188 course work offered by the private vocational or technical  
189 school within the service area of such college; and

190 (4) The reimbursements provided to any two-year  
191 private vocational or technical school shall not violate the  
192 provisions of Article IX, Section 8, or Article I, Section  
193 7, of the Missouri Constitution or the first amendment of  
194 the United States Constitution.

195 12. The department of higher education and workforce  
196 development shall distribute reimbursements in the following  
197 manner:

198 (1) To community college or vocational or technical  
199 school students;

200 (2) After all students from subdivision (1) of this  
201 subsection have been reimbursed, to any dual-credit or dual-  
202 enrollment student on the basis of financial need.

161.092. **1. As used in this section, "attendance  
2 center" means any individual public elementary or secondary  
3 school or charter school.**

**4 2.** The state board of education shall:

5 (1) Adopt rules governing its own proceedings and  
6 formulate policies for the guidance of the commissioner of  
7 education and the department of elementary and secondary  
8 education;

9           (2) Carry out the educational policies of the state  
10 relating to public schools **and school districts** that are  
11 provided by law and supervise instruction in the public  
12 schools **and school districts**;

13           (3) Direct the investment of all moneys received by  
14 the state to be applied to the capital of any permanent fund  
15 established for the support of public education within the  
16 jurisdiction of the department of elementary and secondary  
17 education and see that the funds are applied to the branches  
18 of educational interest of the state that by grant, gift,  
19 devise or law they were originally intended, and if  
20 necessary institute suit for and collect the funds and  
21 return them to their legitimate channels;

22           (4) Cause to be assembled information which will  
23 reflect continuously the condition and management of the  
24 public schools **and school districts** of the state;

25           (5) Require of county clerks or treasurers, boards of  
26 education or other school **or school district** officers,  
27 recorders and treasurers of cities, towns and villages,  
28 copies of all records required to be made by them and all  
29 other information in relation to the funds and condition of  
30 schools **school districts** and the management thereof that is  
31 deemed necessary;

32           (6) Provide blanks suitable for use by officials in  
33 reporting the information required by the board;

34           (7) When conditions demand, cause the laws relating to  
35 schools **and school districts** to be published in a separate  
36 volume, with pertinent notes and comments, for the guidance  
37 of those charged with the execution of the laws;

38           (8) Grant, without fee except as provided in section  
39 168.021, certificates of qualification and licenses to teach  
40 in any of the public schools **or school districts** of the

41 state, establish requirements therefor, formulate  
42 regulations governing the issuance thereof, and cause the  
43 certificates to be revoked for the reasons and in the manner  
44 provided in section 168.071;

45 (9) Classify the public schools **and school districts**  
46 of the state, subject to limitations provided by law and  
47 subdivision (14) of this [section] **subsection**, establish  
48 requirements for the schools of each class, and formulate  
49 rules governing the inspection and accreditation of schools  
50 **and school districts** preparatory to classification, with  
51 such requirements taking effect not less than [two years]  
52 **one year** from the date of adoption of the proposed rule by  
53 the state board of education, provided that this condition  
54 shall not apply to any requirement for which a time line for  
55 adoption is mandated in either federal or state law. Such  
56 rules shall include a process to allow any **school or school**  
57 district that is accredited without provision that does not  
58 meet the state board's promulgated criteria for a  
59 classification designation of accredited with distinction to  
60 propose alternative criteria, **subject to the limitations**  
61 **provided in subdivision (14) of this subsection**, to the  
62 state board to be classified as accredited with distinction;

63 (10) Make an annual report on or before the first  
64 Wednesday after the first day of January to the general  
65 assembly or, when it is not in session, to the governor for  
66 publication and transmission to the general assembly. The  
67 report shall be for the last preceding school year, and  
68 shall include:

69 (a) A statement of the number of public schools in the  
70 state[,]; the number of pupils attending the schools[,];  
71 their sex, **race, and ethnicity**; and the branches taught;

72 (b) A statement of the number of teachers employed[,];  
73 their sex, **race, and ethnicity**; their professional  
74 training[,]; and their average salary;

75 (c) A statement of the receipts and disbursements of  
76 public school **and school district** funds of every  
77 description, their sources, and the purposes for which they  
78 were disbursed;

79 (d) **Research-based and cited** suggestions for the  
80 improvement of public schools **and school districts**; and

81 (e) Any other information relative to the educational  
82 interests of the state that the law requires or the board  
83 deems important;

84 (11) Make an annual report to the general assembly and  
85 the governor concerning coordination with other agencies and  
86 departments of government that support family literacy  
87 programs and other services [which] **that** influence  
88 educational attainment of children of all ages;

89 (12) Require from the chief officer of each division  
90 of the department of elementary and secondary education, on  
91 or before the thirty-first day of August of each year,  
92 reports containing information the board deems important and  
93 desires for publication;

94 (13) Cause fifty copies of its annual report to be  
95 reserved for the use of each division of the state  
96 department of elementary and secondary education, and ten  
97 copies for preservation in the state library;

98 (14) Promulgate rules under which the board shall  
99 [classify the public schools] **calculate an annual**  
100 **performance report for attendance centers and school**  
101 **districts** of the state; provided that:

102 (a) a. **At least eighty percent of any rubric or**  
103 **scoring methodology used to make an annual performance**

104 report determination shall be based on academic performance  
105 as measured by achievement on state standardized tests and  
106 measures of student growth;

107       b. At least five percent of any rubric or scoring  
108 methodology used to make an annual performance report  
109 determination shall be based on an evaluation of career and  
110 college readiness by the department of elementary and  
111 secondary education;

112       c. At least five percent of any rubric or scoring  
113 methodology used to make an annual performance report  
114 determination shall be based on graduation rates;

115       d. At least five percent of any rubric or scoring  
116 methodology used to make an annual performance report  
117 determination shall be based on attendance rates;

118       (b) Any attendance center performing in the bottom  
119 five percent of the state distribution of annual performance  
120 report scores shall be designated as in need of, and shall  
121 produce, a research-based improvement plan as provided in  
122 subdivision (2) of subsection 3 of this section. The  
123 department shall make an annual report of any attendance  
124 center performing in the bottom five percent of the state  
125 distribution of annual performance scores;

126       (c) Any school district with fifty-one percent or more  
127 of the schools within such district performing in the bottom  
128 five percent of the state distribution of annual performance  
129 report scores shall be classified no higher than  
130 provisionally accredited;

131       (d) Only school districts performing in the top ten  
132 percent of the total annual performance report score shall  
133 be classified as accredited with distinction; and

134       (e) The appropriate scoring guides, instruments, and  
135 procedures used in determining the accreditation status of a

136 **school** district shall be subject to a public meeting upon  
137 notice in a newspaper of general circulation in each of the  
138 three most populous cities in the state and also a newspaper  
139 that is a certified minority business enterprise or woman-  
140 owned business enterprise in each of the two most populous  
141 cities in the state, and notice to each **attendance center**  
142 **and each school** district board of education, each  
143 superintendent of a school district, and to the speaker of  
144 the house of representatives, the president pro tem of the  
145 senate, and the members of the joint committee on education,  
146 at least fourteen days in advance of the meeting, which  
147 shall be conducted by the department of elementary and  
148 secondary education not less than ninety days prior to their  
149 application in accreditation, with all comments received to  
150 be reported to the state board of education;

151 (15) Have other powers and duties prescribed by law.

152 **3. Rules promulgated under this section shall address**  
153 **the following:**

154 (1) **Rules relating to academic achievement and**  
155 **academic performance under paragraph (a) of subdivision (14)**  
156 **of subsection 2 of this section shall require that:**

157 (a) **Academic growth, as described in subparagraph a.**  
158 **of paragraph (a) of subdivision (14) of subsection 2 of this**  
159 **section, shall account for no less than fifty percent of the**  
160 **total annual performance report score;**

161 (b) **Points shall be awarded for statistically**  
162 **significant positive growth only if such growth has a normal**  
163 **curve equivalent of greater than fifty; and**

164 (c) **The total academic performance shall be computed**  
165 **by dividing the points gained for academic achievement and**  
166 **the points gained for academic growth by the total possible**  
167 **points in each category and adding the two quotients;**

168           (2) Rules related to attendance centers under  
169 paragraph (b) of subdivision (14) of subsection 2 of this  
170 section shall require that:

171           (a) For every such attendance center in the bottom  
172 five percent of the state distribution of annual performance  
173 report scores, the local education agency in partnership  
174 with independent school improvement experts shall produce a  
175 research-based improvement plan in collaboration with  
176 parents and teachers. Such plan shall be presented to the  
177 school district board or the governing board no later than  
178 one hundred twenty days after the designation is received.  
179 Plans shall contain three-year goals for math and reading  
180 proficiency and three-year goals for growth by subgroup and  
181 by grade level, and shall be approved by the school district  
182 board or governing board;

183           (b) Local education agencies shall be encouraged to  
184 place such attendance centers into an innovation zone, which  
185 shall be governed by an organization exempt from taxation  
186 under 26 U.S.C. Section 501(c)(3) with a board of directors  
187 and a staff, that authorizes an attendance center or several  
188 attendance centers that are in a district to be governed by  
189 the organization, independently of the school board for the  
190 district, and to partner with nonprofit organizations with  
191 expertise in school redesign and improvement. Any  
192 attendance center that is a charter school and that is in  
193 the bottom five percent of the state distribution of annual  
194 performance report scores for four consecutive years shall  
195 be reconstituted in partnership with a high performing  
196 charter organization or be closed;

197           (3) Rules relating to attendance centers or school  
198 districts classified in the top ten percent based on annual  
199 performance report scores under paragraph (d) of subdivision

200 (14) of subsection 2 of this section shall require the  
201 department of elementary and secondary education to  
202 recognize and publish, on its own or in partnership, the top  
203 ten percent of attendance centers as measured by  
204 statistically significant academic growth in both  
205 mathematics and reading as "fast improving schools" and to  
206 produce an annual report highlighting the lessons from these  
207 schools so that others may learn about the practices that  
208 are driving learning growth.

209 4. The department shall communicate on its website in  
210 a clear and easily accessible manner the performance rating  
211 status for each attendance center and local educational  
212 agency.

162.084. If any attendance center, individual public  
2 elementary or secondary school that is not a charter school,  
3 charter school, or school district is in the bottom five  
4 percent of the state distribution of annual performance  
5 report scores, such attendance center, school, or district  
6 shall mail a letter to the parents and guardians of each  
7 student in such attendance center, school, or district  
8 informing such parents and guardians:

9 (1) That the attendance center, individual public  
10 elementary or secondary school that is not a charter school,  
11 charter school, or district is classified in the bottom five  
12 percent of the state distribution of annual performance  
13 report scores;

14 (2) What options are available to such students as a  
15 result; and

16 (3) What plans the attendance center, school, or  
17 district has for school improvement including, but not  
18 limited to, academic proficiency and growth goals in reading  
19 and math for the next three years.

163.023. 1. Commencing September 1, 1997, a school  
2 district that has an operating levy for school purposes as  
3 defined in section 163.011, of less than the minimum value  
4 required by section 163.021, shall be classified as  
5 unaccredited by the state board of education and shall be  
6 deemed to be an unclassified school district for all  
7 purposes under force of law, pursuant to the authority of  
8 the state board of education to classify school districts  
9 pursuant to section 161.092, except that no school district  
10 shall be classified as unaccredited or deemed to be an  
11 unclassified school district pursuant to this section if  
12 such district is ineligible to receive state aid under  
13 section 163.031, exclusive of categorical add-ons, because  
14 the district's local effort is greater than its weighted  
15 average daily attendance multiplied by the state adequacy  
16 target multiplied by the dollar value modifier. No school  
17 district, except a district [which] that is ineligible to  
18 receive state aid under section 163.031, exclusive of  
19 categorical add-ons, because the district's local effort is  
20 greater than its weighted average daily attendance  
21 multiplied by the state adequacy target multiplied by the  
22 dollar value modifier, may be classified or reclassified as  
23 accredited until such district has an operating levy for  
24 school purposes [which] that is equal to or greater than the  
25 minimum value required by section 163.021. Beginning July 1,  
26 1998, the state board of education shall consider the  
27 results for a school district from the statewide assessment  
28 system developed pursuant to the provisions of section  
29 160.518 when classifying a school district as authorized by  
30 subdivision (9) of **subsection 2 of** section 161.092. Further,  
31 the state board of education shall consider the condition

32 and adequacy of facilities of a school district when  
33 determining such classification.

34 2. For any school district classified unaccredited for  
35 any school year, the state board of education shall conduct  
36 procedures to classify said school district for the first  
37 school year following.

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

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

5 (a) Upon the basis of college credit;

6 (b) Upon the basis of examination;

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

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

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

28 (b) Successful attainment of the Missouri qualifying  
29 score on the exit assessment for teachers or administrators  
30 designated by the state board of education. Applicants who  
31 have not successfully achieved a qualifying score on the  
32 designated examinations will be issued a two-year  
33 nonrenewable provisional certificate; and

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

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

53 (5) By the state board, under rules and regulations  
54 prescribed by it, on the basis of certification by the  
55 American Board for Certification of Teacher Excellence  
56 (ABCTE) and verification of ability to work with children as  
57 demonstrated by sixty contact hours in any one of the

58 following areas as validated by the school principal: sixty  
59 contact hours in the classroom, of which at least forty-five  
60 must be teaching; sixty contact hours as a substitute  
61 teacher, with at least thirty consecutive hours in the same  
62 classroom; sixty contact hours of teaching in a private  
63 school; or sixty contact hours of teaching as a  
64 paraprofessional, for an initial four-year ABCTE certificate  
65 of license to teach, except that such certificate shall not  
66 be granted for the areas of early childhood education, or  
67 special education. For certification in the area of  
68 elementary education, ninety contact hours in the classroom  
69 shall be required, of which at least thirty shall be in an  
70 elementary classroom. Upon the completion of the **following**  
71 requirements [listed in paragraphs (a), (b), (c), and (d) of  
72 this subdivision], an applicant shall be eligible to apply  
73 for a career continuous professional certificate under  
74 subdivision (3) of subsection 3 of this section:

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

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

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

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

86 (6) **(a)** By the state board, under rules and  
87 regulations prescribed by **[it] the board**, which shall issue  
88 an initial visiting scholars certificate at the discretion  
89 of the board, based on the following criteria:

90            [(a)] a. Verification from the hiring school district  
91 that the applicant will be employed as part of a business-  
92 education partnership initiative designed to build career  
93 pathways systems **or employed as part of an initiative**  
94 **designed to fill vacant positions in hard-to-staff public**  
95 **schools that are not charter schools or hard-to-fill subject**  
96 **areas** for students in a grade or grades not lower than the  
97 ninth grade for which the applicant's academic degree or  
98 professional experience qualifies [him or her] **the applicant;**

99            [(b)] b. Appropriate and relevant bachelor's degree or  
100 higher, occupational license, or industry-recognized  
101 credential;

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

104           [(d)] d. Completion of a background check as  
105 prescribed under section 168.133.

106           (b) The initial visiting scholars certificate shall  
107 certify the holder of such certificate to teach for one  
108 year. An applicant shall be eligible to renew an initial  
109 visiting scholars certificate a maximum of two times, based  
110 upon the completion of the requirements listed under  
111 [paragraphs (a), (b), and (d)] **subparagraphs a, b, and d of**  
112 **paragraph (a)** of this subdivision; completion of  
113 professional development required by the school district and  
114 school; and attainment of a satisfactory performance-based  
115 teacher evaluation.

116           2. All valid teaching certificates issued pursuant to  
117 law or state board policies and regulations prior to  
118 September 1, 1988, shall be exempt from the professional  
119 development requirements of this section and shall continue  
120 in effect until they expire, are revoked or suspended, as  
121 provided by law. When such certificates are required to be

122 renewed, the state board or its designee shall grant to each  
123 holder of such a certificate the certificate most nearly  
124 equivalent to the one so held. Anyone who holds, as of  
125 August 28, 2003, a valid PC-I, PC-II, or continuous  
126 professional certificate shall, upon expiration of [his or  
127 her] **such person's** current certificate, be issued the  
128 appropriate level of certificate based upon the  
129 classification system established pursuant to subsection 3  
130 of this section.

131 3. (1) Certificates of license to teach in the public  
132 schools of the state shall be based upon minimum  
133 requirements prescribed by the state board of education  
134 which shall include completion of a background check as  
135 prescribed in section 168.133. The state board shall  
136 provide for the following levels of professional  
137 certification: an initial professional certificate and a  
138 career continuous professional certificate.

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

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

148 (b) Complete thirty contact hours of professional  
149 development, which may include hours spent in class in an  
150 appropriate college curriculum, or for holders of a  
151 certificate under subdivision (4) of subsection 1 of this  
152 section, an amount of professional development in proportion

153 to the certificate holder's hours in the classroom, if the  
154 certificate holder is employed less than full time; and

155 (c) Participate in a beginning teacher assistance  
156 program.

157 (3) (a) The career continuous professional  
158 certificate shall be issued upon verification of completion  
159 of four years of teaching under the initial professional  
160 certificate and upon verification of the completion of the  
161 requirements articulated in paragraphs (a) [, (b), and] to  
162 (c) of subdivision (2) of this subsection or paragraphs  
163 (a) [, (b), (c), and] to (d) of subdivision (5) of subsection  
164 1 of this section.

165 (b) The career continuous professional certificate  
166 shall be continuous based upon verification of actual  
167 employment in an educational position as provided for in  
168 state board guidelines and completion of fifteen contact  
169 hours of professional development per year which may include  
170 hours spent in class in an appropriate college curriculum.  
171 Should the possessor of a valid career continuous  
172 professional certificate fail, in any given year, to meet  
173 the fifteen-hour professional development requirement, the  
174 possessor may, within two years, make up the missing hours.  
175 In order to make up for missing hours, the possessor shall  
176 first complete the fifteen-hour requirement for the current  
177 year and then may count hours in excess of the current year  
178 requirement as make-up hours. Should the possessor fail to  
179 make up the missing hours within two years, the certificate  
180 shall become inactive. In order to reactivate the  
181 certificate, the possessor shall complete twenty-four  
182 contact hours of professional development which may include  
183 hours spent in the classroom in an appropriate college  
184 curriculum within the six months prior to or after

185 reactivating [his or her] **the possessor's** certificate. The  
186 requirements of this paragraph shall be monitored and  
187 verified by the local school district which employs the  
188 holder of the career continuous professional certificate.

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

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

197 b. Possesses a master's degree; or

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

200 4. Policies and procedures shall be established by  
201 which a teacher who was not retained due to a reduction in  
202 force may retain the current level of certification. There  
203 shall also be established policies and procedures allowing a  
204 teacher who has not been employed in an educational position  
205 for three years or more to reactivate [his or her] **the**  
206 **teacher's** last level of certification by completing twenty-  
207 four contact hours of professional development which may  
208 include hours spent in the classroom in an appropriate  
209 college curriculum within the six months prior to or after  
210 reactivating [his or her] **the teacher's** certificate.

211 5. The state board shall, upon completion of a  
212 background check as prescribed in section 168.133, issue a  
213 professional certificate classification in the areas most  
214 closely aligned with an applicant's current areas of  
215 certification, commensurate with the years of teaching  
216 experience of the applicant, to any person who is hired to

217 teach in a public school in this state and who possesses a  
218 valid teaching certificate from another state or  
219 certification under subdivision (4) of subsection 1 of this  
220 section, provided that the certificate holder shall annually  
221 complete the state board's requirements for such level of  
222 certification, and shall establish policies by which  
223 residents of states other than the state of Missouri may be  
224 assessed a fee for a certificate of license to teach in the  
225 public schools of Missouri. Such fee shall be in an amount  
226 sufficient to recover any or all costs associated with the  
227 issuing of a certificate of license to teach. The board  
228 shall promulgate rules to authorize the issuance of a  
229 provisional certificate of license, which shall be valid for  
230 three years and shall allow the holder to assume classroom  
231 duties pending the completion of a criminal background check  
232 under section 168.133, for any applicant who:

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

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

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

240 (4) Otherwise qualifies under this section.

241 6. The state board may assess to holders of an initial  
242 professional certificate a fee, to be deposited into the  
243 excellence in education [revolving] fund established  
244 pursuant to section 160.268, for the issuance of the career  
245 continuous professional certificate. However, such fee  
246 shall not exceed the combined costs of issuance and any  
247 criminal background check required as a condition of  
248 issuance. Applicants for the initial ABCTE certificate

249 shall be responsible for any fees associated with the  
250 program leading to the issuance of the certificate, but  
251 nothing in this section shall prohibit a district from  
252 developing a policy that permits fee reimbursement.

253 7. Any member of the public school retirement system  
254 of Missouri who entered covered employment with ten or more  
255 years of educational experience in another state or states  
256 and held a certificate issued by another state and  
257 subsequently worked in a school district covered by the  
258 public school retirement system of Missouri for ten or more  
259 years who later became certificated in Missouri shall have  
260 that certificate dated back to [his or her] **the member's**  
261 original date of employment in a Missouri public school.

262 8. Within thirty days of receiving an application from  
263 a spouse of an active duty member of the Armed Forces of the  
264 United States who has been transferred or is scheduled to be  
265 transferred to the state of Missouri, or who has been  
266 transferred or is scheduled to be transferred to an adjacent  
267 state and is or will be domiciled in the state of Missouri,  
268 or has moved to the state of Missouri on a permanent change-  
269 of-station basis and has successfully completed the  
270 background check described under subsection 5 of this  
271 section and section 168.133, the state board shall issue to  
272 such applicant a full certificate of license to teach,  
273 provided that the applicant has paid all necessary fees and  
274 has otherwise met all requirements to be issued such a  
275 certificate.

168.110. The board of education of a school district  
2 may modify an indefinite contract annually on or before the  
3 fifteenth day of May in the following particulars:

4 (1) Determination of the date of beginning and length  
5 of the next school year;

6           (2) Fixing the amount of annual compensation for the  
7 following school year as provided by the salary schedule  
8 adopted by the board of education applicable to all  
9 teachers. **The board of education may include differentiated**  
10 **placement of teachers on the salary schedule to increase**  
11 **compensation in order to recruit and retain teachers in hard-**  
12 **to-staff subject areas or hard-to-staff schools. The board**  
13 **of education may annually review its hard-to-staff subject**  
14 **areas and hard-to-staff public schools that are not charter**  
15 **schools. No modification to identification of hard-to-staff**  
16 **subject areas, hard-to-staff public schools that are not**  
17 **charter schools, or both, for the purpose of placement on**  
18 **the salary schedule shall result in the demotion of a**  
19 **teacher on the salary schedule.** The modifications shall be  
20 effective at the beginning of the next school year. All  
21 teachers affected by the modification shall be furnished  
22 written copies of the modifications within thirty days after  
23 their adoption by the board of education.

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