

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE NO. 2 FOR  
**SENATE BILL NO. 997**  
**101ST GENERAL ASSEMBLY**

4579H.05C

DANA RADEMAN MILLER, Chief Clerk

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**AN ACT**

To repeal sections 33.100, 36.020, 36.030, 36.050, 36.060, 36.070, 36.080, 36.090, 36.100, 36.120, 36.140, 36.250, 36.440, 36.510, 37.010, 105.950, 105.1114, 160.2700, 160.2705, 161.097, 162.720, 163.016, 167.268, 167.630, 167.640, 167.645, 167.903, 168.021, 168.500, 168.515, 169.560, 169.596, 170.014, 170.018, 288.220, 302.010, 304.060, and 513.430, RSMo, and to enact in lieu thereof fifty-one new sections relating to public employees, with an emergency clause for a certain section and a delayed effective date for a certain section.

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

Section A. Sections 33.100, 36.020, 36.030, 36.050, 36.060, 36.070, 36.080, 36.090, 2 36.100, 36.120, 36.140, 36.250, 36.440, 36.510, 37.010, 105.950, 105.1114, 160.2700, 3 160.2705, 161.097, 162.720, 163.016, 167.268, 167.630, 167.640, 167.645, 167.903, 4 168.021, 168.500, 168.515, 169.560, 169.596, 170.014, 170.018, 288.220, 302.010, 5 304.060, and 513.430, RSMo, are repealed and fifty-one new sections enacted in lieu 6 thereof, to be known as sections 33.100, 36.020, 36.030, 36.060, 36.070, 36.080, 36.090, 7 36.100, 36.120, 36.140, 36.250, 36.440, 36.510, 37.010, 105.950, 105.1114, 160.560, 8 160.2700, 160.2705, 161.097, 161.214, 161.241, 161.380, 161.385, 162.720, 162.1255, 9 163.016, 167.268, 167.630, 167.640, 167.645, 167.850, 167.903, 167.907, 167.908, 168.021, 10 168.036, 168.037, 168.500, 168.515, 169.560, 169.596, 170.014, 170.018, 170.036, 173.831, 11 186.080, 288.220, 302.010, 304.060, and 513.430, to read as follows:

33.100. The salaries of all elective and appointive officers and employees of the state 2 shall be paid out of the state treasury, in semimonthly or monthly installments **or once every** 3 **two weeks** as designated by the commissioner of administration. The accounts and names of

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.

4 the officers and employees shall be presented to the commissioner of administration and a  
5 warrant therefor upon the state treasury shall be issued to be paid out of the appropriation  
6 made for such purpose. The accounts of the officers and employees shall be stated in their  
7 names, respectively, and the correctness thereof shall be certified to by the officers,  
8 respectively, in whose employment they are.

36.020. Unless the context clearly requires otherwise, the following terms mean:

- 2 (1) "Agency", "state agency" or "agency of the state", each department, board,  
3 commission or office of the state except for offices of the elected officials, the general  
4 assembly, the judiciary and academic institutions;
- 5 (2) "Appointing authority", an officer or agency subject to this chapter having power  
6 to make appointments;
- 7 (3) ~~["Board", the personnel advisory board as established by section 36.050;~~  
8 ~~(4)~~ "Broad classification band", a grouping of positions with similar levels of  
9 responsibility or expertise;
- 10 ~~[(5)]~~ (4) "Class", "class of positions", or "job class", a group of positions subject to  
11 this chapter sufficiently alike in duties, authority and responsibilities to justify the same  
12 qualifications and the same schedule of pay to all positions in the group;
- 13 ~~[(6)]~~ (5) "Director", the director of the division of personnel of the office of  
14 administration;
- 15 ~~[(7)]~~ (6) "Disabled veteran", a veteran who has served on active duty in the Armed  
16 Forces at any time who receives compensation as a result of a service-connected disability  
17 claim allowed by the federal agency responsible for the administration of veteran's affairs, or  
18 who receives disability retirement or disability pension benefits from a federal agency as a  
19 result of such a disability or a National Guard veteran who was permanently disabled as a  
20 result of active service to the state at the call of the governor;
- 21 ~~[(8)]~~ (7) "Division of service" or "division", a state department or any division or  
22 branch of the state, or any agency of the state government, all the positions and employees in  
23 which are under the same appointing authority;
- 24 ~~[(9)]~~ (8) "Eleemosynary or penal institutions", an institution within state government  
25 holding, housing, or caring for inmates, patients, veterans, juveniles, or other individuals  
26 entrusted to or assigned to the state where it is anticipated that such individuals will be in  
27 residence for longer than one day. Eleemosynary or penal institutions shall not include  
28 elementary, secondary, or higher education institutions operated separately or independently  
29 from the foregoing institutions;
- 30 ~~[(10)]~~ (9) "Eligible", a person whose name is on a register or who has been  
31 determined to meet the qualifications for a class or position;

32           ~~[(11)]~~ **(10)** "Employee", shall include only those persons employed in excess of  
33 thirty-two hours per calendar week, for a duration that could exceed six months, by a state  
34 agency and shall not include patients, inmates, or residents in state eleemosynary or penal  
35 institutions who work for the state agency operating an eleemosynary or penal institutions;

36           ~~[(12)]~~ **(11)** "Examination" or "competitive examination", a means of determining  
37 eligibility or fitness for a class or position;

38           ~~[(13)]~~ **(12)** "Open competitive examination", a selection process for positions in a  
39 particular class, admission to which is not limited to persons employed in positions subject to  
40 this chapter pursuant to subsection 1 of section 36.030;

41           ~~[(14)]~~ **(13)** "Promotional examination", a selection process for positions in a  
42 particular class, admission to which is limited to employees with regular status in positions  
43 subject to this chapter pursuant to subsection 1 of section 36.030;

44           ~~[(15)]~~ **(14)** "Register of eligibles", a list, which may be restricted by locality, of  
45 persons who have been found qualified for appointment to a position subject to this chapter  
46 pursuant to subsection 1 of section 36.030;

47           ~~[(16)]~~ **(15)** "Regular employee", a person employed in a position described under  
48 subdivision (2) of subsection 1 of section 36.030 who has successfully completed a  
49 probationary period as provided in section 36.250;

50           ~~[(17)]~~ **(16)** "State equal employment opportunity officer", the individual designated  
51 by the governor or the commissioner of administration as having responsibility for  
52 monitoring the compliance of the state as an employer with applicable equal employment  
53 opportunity law and regulation and for leadership in efforts to establish a state workforce  
54 which reflects the diversity of Missouri citizens at all levels of employment;

55           ~~[(18)]~~ **(17)** "Surviving spouse", the unmarried surviving spouse of a deceased  
56 disabled veteran or the unmarried surviving spouse of any person who was killed while on  
57 active duty in the Armed Forces of the United States or an unmarried surviving spouse of a  
58 National Guard veteran who was killed as a result of active service to the state at the call of  
59 the governor;

60           ~~[(19)]~~ **(18)** "Veteran", any person who is a citizen of this state who has been separated  
61 under honorable conditions from the Armed Forces of the United States who served on active  
62 duty during peacetime or wartime for at least six consecutive months, unless released early as  
63 a result of a service-connected disability or a reduction in force at the convenience of the  
64 government, or any member of a reserve or National Guard component who has satisfactorily  
65 completed at least six years of service or who was called or ordered to active duty by the  
66 President and participated in any campaign or expedition for which a campaign badge or  
67 service medal has been authorized.

36.030. 1. (1) Employees in eleemosynary or penal institutions shall be selected on  
2 the basis of merit.

3 (2) So much of any agency that is required to maintain personnel standards on a merit  
4 basis by federal law or regulations for grant-in-aid programs shall, except for those positions  
5 specified in subsection 2 of this section, select employees on the basis of merit and maintain  
6 such standards as specified in this chapter and as otherwise required.

7 2. State agencies operating eleemosynary or penal institutions shall not domicile the  
8 following positions in such institutions and such positions shall not be selected in accordance  
9 with subsection 1 of this section:

10 (1) Other provisions of the law notwithstanding, members of boards and  
11 commissions, departmental directors, five principal assistants designated by the  
12 departmental directors, division directors, and three principal assistants designated by each  
13 division director;

14 (2) One principal assistant for each board or commission, the members of which are  
15 appointed by the governor or by a director of the department;

16 (3) Chaplains and attorneys;

17 (4) Persons employed in work assignments with a geographic location principally  
18 outside the state of Missouri and other persons whose employment is such that selection by  
19 competitive examination and standard classification and compensation practices are not  
20 practical under all the circumstances as determined by the ~~[board]~~ **director** by rule;

21 (5) Patients, inmates, or residents in state penal institutions who work for the agency  
22 operating the eleemosynary or penal institution;

23 (6) Persons employed in an internship capacity in a state department or institution as a  
24 part of their formal training, at a college, university, business, trade or other technical school;  
25 except that, by appropriate resolution of the governing authorities of any department or  
26 institution, the personnel division may be called upon to assist in selecting persons to be  
27 appointed to internship positions;

28 (7) The administrative head of each state medical, penal and correctional institution,  
29 as warranted by the size and complexity of the organization and as approved by the ~~[board]~~  
30 **director**;

31 (8) Deputies or other policy-making assistants to the exempt head of each division of  
32 service, as warranted by the size or complexity of the organization and in accordance with the  
33 rules promulgated by the ~~[personnel advisory board]~~ **director**;

34 (9) Special assistants as designated by an appointing authority; except that, the  
35 number of such special assistants shall not exceed two percent of a department's total  
36 authorized full-time equivalent workforce.

37           3. To encourage all state employees to improve the quality of state services, increase  
38 the efficiency of state work operations, and reduce the costs of state programs, the director [~~of~~  
39 ~~the division of personnel~~] shall establish employee recognition programs, including a  
40 statewide employee suggestion system. The director shall determine reasonable rules and  
41 shall provide reasonable standards for determining the monetary awards, not to exceed five  
42 thousand dollars, under the employee suggestion system.

43           4. At the request of the senate or the house of representatives, the commissioner of  
44 administration shall submit a report on the employee suggestion award program described in  
45 subsection 3 of this section.

          36.060. 1. In addition to the duties imposed upon it elsewhere in this chapter, it shall  
2 be the duty of the [~~board~~] **director**:

3           (1) To make any investigation which [~~it~~] **he or she** may consider desirable concerning  
4 the administration of personnel subject to this chapter pursuant to subsection 1 of section  
5 36.030 and all personnel of any department or agency of the executive branch of state  
6 government not exempted from section 36.031;

7           (2) To hold regular meetings with appointing authorities to propose methods of  
8 resolving general personnel problems;

9           (3) [~~To make annual reports, and such special reports as it considers desirable, to the~~  
10 ~~governor and the general assembly regarding personnel administration in the state service and~~  
11 ~~recommendations there. These special reports may evaluate the effectiveness of the~~  
12 ~~personnel division and the appointing authorities in their operations under this chapter;~~

13           (4) To make such suggestions and recommendations to the governor and the  
14 [~~director~~] **commissioner of administration** relating to the state's employment policies as will  
15 promote morale, efficiency and uniformity in compensation of the various employees in the  
16 state service;

17           [~~(5)~~] (4) To promulgate rules and regulations **on behalf of the commissioner of**  
18 **administration** to ensure that no applicant or employee is discriminated against on the basis  
19 of race, creed, color, religion, national origin, sex, ancestry or handicap.

20           2. No rule or portion of a rule promulgated under the authority of this chapter shall  
21 become effective unless it has been promulgated pursuant to the provisions of section  
22 536.024.

          36.070. 1. The [~~board~~] **commissioner of administration** shall have power to  
2 prescribe such rules and regulations not inconsistent with the provisions of this chapter as [~~it~~]  
3 **he or she** deems suitable and necessary to carry out the provisions of this chapter. Such rules  
4 and regulations shall be effective when filed with the secretary of state as provided by law.

5           2. The ~~[board]~~ **commissioner of administration** shall prescribe by rule the  
6 procedures for merit selection, uniform classification and pay, and covered appeals in  
7 accordance with the provisions of this chapter.

8           **3. As of August 28, 2022, the rules of the personnel advisory board previously**  
9 **established by this chapter shall become rules of the commissioner of administration.**

36.080. 1. The director shall be a person, **appointed by the commissioner of**  
2 **administration**, who is experienced in the principles and methods of personnel  
3 administration, who is familiar with and in sympathy with the application of merit  
4 principles ~~[and]~~ **or other** efficient methods of public administration. The director shall be  
5 appointed for a term of four years beginning on July first following the election of a governor,  
6 which term may be renewed at its expiration at the option of the governor.

7           2. The personnel director shall not during his or her term of office, or for one year  
8 prior thereto:

9           (1) Be a member of any local, state or national committee of a political party;

10           (2) Be a member of any partisan political club or organization;

11           (3) Actively participate in any partisan political campaign; or

12           (4) Hold or be a candidate for any partisan public office.

13           3. ~~Upon an impending or actual vacancy in the position of director, the board shall~~  
14 ~~publicly solicit applications for the position and prepare and submit to the governor a list of~~  
15 ~~the five most qualified applicants. In the course of preparing such a list the board may engage~~  
16 ~~the services of persons experienced in personnel administration as consultants to assist it in~~  
17 ~~examining and determining the best qualified available persons for appointment as director.~~  
18 ~~The board shall be authorized to pay, out of the funds appropriated to it, the necessary travel~~  
19 ~~and other expenses of any consultants engaged under the provisions of this section, and may~~  
20 ~~also defray the travel expenses of candidates for the position who are requested to report for~~  
21 ~~an interview. The director may also assist the board with the search process and division of~~  
22 ~~personnel resources may be used to advance the search process.~~

23           4. ~~The provisions of subdivision (2) of subsection 5 of section 1 of the Reorganization~~  
24 ~~Act of 1974 notwithstanding, the total compensation of any director shall not exceed the~~  
25 ~~statutory salary of department heads.~~

26           5. ~~The provisions of subsection 8 of section 15 of the Reorganization Act of 1974~~  
27 ~~notwithstanding, the governor shall appoint to the position of director, without regard to his or~~  
28 ~~her political affiliation and subject to the advice and consent of the senate, one of the persons~~  
29 ~~named on the list submitted by the board.~~

30           6.] The director may be removed by the ~~[board]~~ **commissioner of administration** for  
31 no reason or for any reason **not prohibited by law.**

36.090. 1. The director, as executive head of the personnel division, shall direct and supervise all its administrative and technical activities. In addition to the duties imposed upon the director elsewhere in this chapter, the director may develop in cooperation with appointing authorities a management training program, a recruiting program, and a system of performance appraisals, and ~~to~~ **may** assist appointing authorities in the setting of productivity goals.

~~2. The director shall assist the board in the performance of its functions and attend board meetings.~~

3.] The director may:

(1) Establish and maintain a roster of all officers and employees subject to this chapter pursuant to subsection 1 of section 36.030 or pursuant to section 36.031, in which there shall be set forth, as to each employee, a record of the class title of the position held; the salary or pay; any change in class title, pay or status, and such other data as may be deemed desirable to produce significant facts pertaining to personnel administration;

(2) Appoint and fix the compensation of such experts and special assistants as may be necessary to carry out effectively the provisions of this chapter;

(3) Investigate the effects of this chapter and the rules promulgated under this chapter and report his or her findings and recommendations to the ~~board~~ **commissioner of administration** and the governor;

(4) Make annual reports concerning the work of the division, problems in personnel management, and actions taken or to be taken by the division to resolve those problems;

(5) Perform any other lawful act which he or she may consider necessary or desirable to carry out the purposes and provisions of this chapter.

~~4.]~~ **3.** The director shall appoint a deputy or deputies. In case of the absence of the director or his or her inability from any cause to discharge the powers and duties of his or her office, such powers and duties shall devolve upon his or her deputy **or deputies**.

36.100. 1. The director shall ascertain the duties, authority and responsibilities of all positions subject to this chapter pursuant to subsection 1 of section 36.030, and all positions subject to this section pursuant to section 36.031. After consultation with the appointing authorities, the director shall prepare ~~and recommend to the board~~, and maintain on a continuing basis, a position classification plan, which shall group all positions subject to this chapter pursuant to subsection 1 of section 36.030, and all positions subject to this section pursuant to section 36.031 in classes, based on their duties, authority and responsibilities. Except as provided in subsection 2 of this section, the position classification plan shall set forth, for each class of positions, a class title and a statement of the duties, authority and responsibilities thereof, and the qualifications that are necessary or desirable for the satisfactory performance of the duties of the class; provided, that no plan shall be adopted

12 which prohibits the substitution of experience for education for each class of positions, except  
13 that, the ~~[board]~~ **director** may determine that there is no equivalent substitution in particular  
14 cases. Classifications should be sufficiently broad in scope to include as many comparable  
15 positions as possible both on an intra- and inter-departmental basis.

16 2. The classification plan may group positions with similar levels of responsibility or  
17 expertise into broad classification bands.

18 3. The director shall, in consultation with the agencies, eliminate and combine classes  
19 when possible, taking into consideration the recruitment, selection, and compensation of  
20 personnel in the various classes.

36.120. 1. Before establishing a new position in divisions of the service subject to  
2 this chapter pursuant to subsection 1 of section 36.030 or any new position in a department or  
3 agency of the executive branch of state government subject to this section pursuant to section  
4 36.031, or before making any permanent and substantial change of the duties, authority or  
5 responsibilities of any such position, an appointing authority shall notify the director in  
6 writing of the appointing authority's intention to do so, except where the positions may be  
7 allocated by the appointing authority.

8 2. The director may at any time allocate any new position to a class, or change the  
9 allocation of any position to a class, or ~~[recommend to the board]~~ **make** changes in the  
10 classification plan. ~~[Any change in the classification plan recommended by the director shall  
11 take effect when approved by the board, or on the ninetieth day after it is recommended to the  
12 board if prior thereto the board has not approved it. In case of necessity requiring the  
13 immediate establishment of a new class, the director may establish such a class on an interim  
14 basis pending approval of the class by the board as recommended by the director.]~~

15 3. When the allocation of a position to a class is changed, the director shall notify the  
16 appointing authority. If allocation authority is delegated, the appointing authority shall notify  
17 the director of any changes in the allocation. If the position is filled at the time of reallocation  
18 to a class, the appointing authority shall immediately notify the incumbent of the position  
19 regarding the allocation change. If the incumbent does not agree with the new allocation, the  
20 incumbent may submit to the director a request for a review of the allocation of the position.

21 4. If any change is made in the classification plan by which a class of positions is  
22 divided, altered, or abolished, or classes are combined, the director shall forthwith reallocate  
23 the positions affected to their appropriate classes in the amended classification plan. An  
24 employee who is occupying a position reallocated to a different class shall, subject to the  
25 regulations, be given the same status in the new class as previously held in the class from  
26 which his or her position is reallocated.

27 5. ~~[After a class of positions has been approved by the board,]~~ The director is  
28 authorized to make such changes in the class title or in the statement of duties and



29 qualifications for ~~[the]~~ a new class as the director finds necessary for current maintenance of  
30 the classification plan~~]; provided, however, that changes which materially affect the nature~~  
31 ~~and level of a class or which involve a change in salary range for the class shall be approved~~  
32 ~~by the board].~~

36.140. 1. After consultation with appointing authorities and the state fiscal officers,  
2 and after a public hearing following suitable notice, the director shall prepare ~~[and~~  
3 ~~recommend to the board]~~ a pay plan for each class of positions subject to this chapter pursuant  
4 to subsection 1 of section 36.030 and each class of positions subject to this section pursuant to  
5 section 36.031. The pay plan shall include, for each class of positions, a minimum and a  
6 maximum rate, and such provision for intermediate rates as the director considers necessary  
7 or equitable. The pay plan may also provide for the use of open, or stepless, pay ranges. The  
8 pay plan may include provision for grouping of positions with similar levels of responsibility  
9 or expertise into broad classification bands for purposes of determining compensation and for  
10 such salary differentials and other pay structures as the director considers necessary or  
11 equitable. In establishing the rates, the director shall give consideration to the experience in  
12 recruiting for positions in the state service, the rates of pay prevailing in the state for the  
13 services performed, and for comparable services in public and private employment, living  
14 costs, maintenance, or other benefits received by employees, and the financial condition and  
15 policies of the state. These considerations shall be made on a statewide basis and shall not  
16 make any distinction based on geographical areas or urban and rural conditions. The pay plan  
17 shall take effect when approved by ~~[the board and]~~ the governor, and each employee  
18 appointed to a position subject to this chapter pursuant to subsection 1 of section 36.030 and  
19 each class of positions subject to this section pursuant to section 36.031, after the adoption of  
20 the pay plan shall be paid according to the provisions of the pay plan for the position in which  
21 he or she is employed; provided, that the commissioner of administration certifies that there  
22 are funds appropriated and available to pay the adopted pay plan. The pay plan shall also be  
23 used as the basis for preparing budget estimates for submission to the legislature insofar as  
24 such budget estimates concern payment for services performed in positions subject to this  
25 chapter pursuant to subsection 1 of section 36.030 and positions subject to this section  
26 pursuant to section 36.031. Amendments to the pay plan may be recommended by the  
27 director from time to time as circumstances require and such amendments shall take effect  
28 when approved as provided by this section. The conditions under which employees may be  
29 appointed at a rate above the minimum provided for the class, or advance from one rate to  
30 another within the rates applicable to their positions, may be determined by the regulations.

31 2. Any change in the pay plan shall be made on a uniform statewide basis. No  
32 employee in a position subject to this chapter shall receive more or less compensation than

33 another employee solely because of the geographical area in which the employee lives or  
34 works.

36.250. 1. Every person appointed to a permanent position described under  
2 subdivision (2) of subsection 1 of section 36.030 shall be required to successfully complete a  
3 working test during a probationary period which shall be of sufficient length to enable the  
4 appointing authority to observe the employee's ability to perform the various duties pertaining  
5 to the position.

6 2. The ~~[board]~~ **director** shall by regulation establish the standards governing normal  
7 length of the probationary period for different classes of positions. The regulations shall  
8 specify the criteria for reducing or lengthening the probationary period for individuals within  
9 the various classes. The minimum probationary period shall be three months. The maximum  
10 probationary period shall be eighteen months for top professional personnel and personnel  
11 with substantial supervisory or administrative responsibilities, and twelve months for all  
12 others. However, a probationary period shall not be required for an employee reinstated  
13 within two years after layoff or demotion in lieu of layoff by the same division of service.

14 3. Prior to the expiration of an employee's probationary period, the appointing  
15 authority shall notify the director and the employee in writing whether the services of the  
16 employee have been satisfactory and whether the appointing authority will continue the  
17 employee in the employee's position.

18 4. At any time during the probationary period the appointing authority may remove  
19 an employee if, in the opinion of the appointing authority, the working test indicates that the  
20 employee is unable or unwilling to perform the duties of the position satisfactorily. Upon  
21 removal, the appointing authority shall forthwith report to the director and to the employee  
22 removed, in writing, the appointing authority's action and the reason thereof. An employee  
23 who is found by the director to have been appointed through fraud shall be removed within  
24 ten days of notification of the appointing authority.

36.440. 1. All officers and employees of the state subject to provisions of this  
2 chapter, whether pursuant to subsection 1 of section 36.030 or pursuant to section 36.031,  
3 shall comply with and aid in all proper ways in carrying out the provisions of this chapter  
4 applicable to them and the regulations adopted thereunder. All officers and employees shall  
5 furnish any records or information which the director ~~[or the board]~~ may request for any  
6 purpose of this law.

7 2. A state officer or employee who shall fail to comply with any provision of this  
8 chapter or of any regulation adopted thereunder that is applicable to such person shall be  
9 subject to all penalties and remedies now or hereafter provided by law for the failure of a  
10 public officer or employee to do any act required of him or her by this chapter. The director

11 may maintain such action or proceeding at law or in equity as he or she considers necessary or  
12 appropriate to secure compliance with this chapter and the regulations adopted thereunder.

36.510. 1. In addition to other duties specified elsewhere in this chapter the director  
2 may perform the following functions in some or all agencies of state government:

3 (1) Develop, initiate and implement a central training program for personnel in  
4 agencies of state government and encourage and assist in the development of such specialized  
5 training activities as can best be administered internally by such individual agencies;

6 (2) Establish a management trainee program and prescribe rules for the establishment  
7 of a career executive service for the state;

8 (3) ~~[Formulate for approval of the board]~~ **Promulgate** regulations regarding  
9 mandatory training for persons employed in management positions in state agencies;

10 (4) Institute, coordinate and direct a statewide program for recruitment of personnel  
11 in cooperation with appointing authorities in state agencies;

12 (5) Assist all state departments in setting productivity goals and in implementing a  
13 standard system of performance appraisals;

14 (6) Establish and direct a central labor relations function for the state which shall  
15 coordinate labor relations activities in individual state agencies, including participation in  
16 negotiations and approval of agreements relating to uniform wages, benefits and those aspects  
17 of employment which have fiscal impact on the state; and

18 (7) ~~[Formulate]~~ **Promulgate** rules ~~[for approval of the board]~~ and establish  
19 procedures and standards relating to position classification and compensation of employees  
20 which are designed to secure essential uniformity and comparability among state agencies.

21 2. Any person who is employed in a position subject to this chapter who engaged in a  
22 strike or labor stoppage shall be subject to the penalties provided by law.

37.010. 1. The governor, by and with the advice and consent of the senate, shall  
2 appoint a commissioner of administration, who shall head the "Office of Administration"  
3 which is hereby created. The commissioner of administration shall receive a salary as  
4 provided by law and shall also receive his or her actual and necessary expenses incurred in the  
5 discharge of his or her official duties. Before taking office, the commissioner of  
6 administration shall take and subscribe an oath or affirmation to support the Constitution of  
7 the United States and of this state, and to demean himself or herself faithfully in office. The  
8 commissioner shall also deposit with the governor a bond, with sureties to be approved by the  
9 governor, in the amount to be determined by the governor payable to the state of Missouri,  
10 conditioned on the faithful performance of the duties of his or her office. The premium of this  
11 bond shall be paid out of the appropriation for the office of the governor.

12 2. The governor shall appoint the commissioner of administration with the advice and  
13 consent of the senate. The commissioner shall be at least thirty years of age and must have

14 been a resident and qualified voter of this state for the five years next preceding his or her  
15 appointment. He or she shall be qualified by training and experience to assume the  
16 managerial and administrative functions of the office of commissioner of administration.

17 3. The commissioner of administration shall, by virtue of his or her office, without  
18 additional compensation, head the division of budget, the division of purchasing, the division  
19 of facilities management, design and construction, **the division of personnel**, and the  
20 information technology services division. Whenever provisions of the constitution grant  
21 powers, impose duties or make other reference to the comptroller, they shall be construed as  
22 referring to the commissioner of administration.

23 4. The commissioner of administration shall provide the governor with such  
24 assistance in the supervision of the executive branch of state government as the governor  
25 requires and shall perform such other duties as are assigned to him or her by the governor or  
26 by law. The commissioner of administration shall work with other departments of the  
27 executive branch of state government to promote economy, efficiency and improved service  
28 in the transaction of state business. The commissioner of administration, with the approval of  
29 the governor, shall organize the work of the office of administration in such manner as to  
30 obtain maximum effectiveness of the personnel of the office. He or she may consolidate,  
31 abolish, or reassign duties of positions or divisions combined within the office of  
32 administration~~], except for the division of personnel. He or she may delegate specific~~  
33 ~~duties to subordinates].~~ These subordinates shall take the same oath as the commissioner and  
34 shall be covered by the bond of the director or by separate bond as required by the governor.

35 5. ~~[The personnel division, personnel director and personnel advisory board as~~  
36 ~~provided in chapter 36 shall be in the office of administration.]~~ The personnel director and  
37 employees of the personnel division shall perform such duties as directed by the  
38 commissioner of administration for personnel work in agencies and departments of state  
39 government to upgrade state employment and to improve the uniform quality of state  
40 employment.

41 6. The commissioner of administration shall prepare a complete inventory of all real  
42 estate, buildings and facilities of state government and an analysis of their utilization. Each  
43 year he or she shall formulate and submit to the governor a long-range plan for the ensuing  
44 five years for the repair, construction and rehabilitation of all state properties. The plan shall  
45 set forth the projects proposed to be authorized in each of the five years with each project  
46 ranked in the order of urgency of need from the standpoint of the state as a whole and shall be  
47 upgraded each year. Project proposals shall be accompanied by workload and utilization  
48 information explaining the need and purpose of each. Departments shall submit  
49 recommendations for capital improvement projects and other information in such form and  
50 at such times as required by the commissioner of administration to enable him or her to

51 prepare the long-range plan. The commissioner of administration shall prepare the long-  
52 range plan together with analysis of financing available and suggestions for further financing  
53 for approval of the governor who shall submit it to the general assembly. The long-range plan  
54 shall include credible estimates for operating purposes as well as capital outlay and shall  
55 include program data to justify need for the expenditures included. The long-range plan shall  
56 be extended, revised and resubmitted in the same manner to accompany each executive  
57 budget. The appropriate recommendations for the period for which appropriations are to be  
58 made shall be incorporated in the executive budget for that period together with  
59 recommendations for financing. Each revised long-range plan shall provide a report on  
60 progress in the repair, construction and rehabilitation of state properties and of the operating  
61 purposes program for the preceding fiscal period in terms of expenditures and meeting  
62 program goals.

63 7. The office of the commissioner of administration shall be in Jefferson City.

64 8. In case of death, resignation, removal from office or vacancy from any cause in the  
65 office of commissioner of administration, the governor shall take charge of the office and  
66 superintend the business thereof until a successor is appointed, commissioned and qualified.

105.950. 1. Until June 30, 2000, the commissioner of administration and the  
2 directors of the departments of revenue, social services, agriculture, economic development,  
3 corrections, labor and industrial relations, natural resources, and public safety shall continue  
4 to receive the salaries they received on August 27, 1999, subject to annual adjustments as  
5 provided in section 105.005.

6 2. On and after July 1, 2000, the salary of the directors of the above departments shall  
7 be set by the governor within the limits of the salary ranges established pursuant to this  
8 section and the appropriation for that purpose. Salary ranges for department directors and  
9 members of the parole board shall be set by the personnel ~~[advisory board]~~ **director** after  
10 considering the results of a study periodically performed or administered by the office of  
11 administration. Such salary ranges shall be published yearly in an appendix to the revised  
12 statutes of Missouri.

13 3. Each of the above salaries shall be increased by any salary adjustment provided  
14 pursuant to the provisions of section 105.005.

105.1114. Administrative procedures for the implementation of sections 105.1100 to  
2 105.1116 shall be promulgated by the ~~[state]~~ personnel ~~[advisory board]~~ **director** for those  
3 employees classified under the state personnel law and by other public employers for those  
4 employees under their management and control. No rule or portion of a rule promulgated  
5 under the authority of sections 105.1100 to 105.1116 shall become effective unless it has been  
6 promulgated pursuant to the provisions of section 536.024.

160.560. 1. The department of elementary and secondary education shall  
2 establish the "Show Me Success Diploma Program".

3 2. Under the show me success diploma program, the department of elementary  
4 and secondary education shall develop the "Show Me Success Diploma" as an  
5 alternative pathway to graduation for high school students that may be earned at any  
6 point between the end of a student's tenth grade year and the conclusion of the student's  
7 twelfth grade year.

8 3. By July 1, 2023, the department of elementary and secondary education shall  
9 develop detailed requirements for students to become eligible for the show me success  
10 diploma that include at least the following:

11 (1) Demonstrated skills and knowledge in English, science, and mathematical  
12 literacy to be successful in college level courses offered by the community colleges in this  
13 state that count toward a degree or certificate without taking remedial or developmental  
14 course work; and

15 (2) Satisfactory grades on approved examinations in subjects determined to be  
16 necessary to prepare a student to enter postsecondary education without remedial or  
17 developmental course work.

18 4. School districts and charter schools may offer a course of study designed to  
19 meet the requirements to obtain a show me success diploma to students entering the  
20 ninth grade. Students who elect to pursue a show me success diploma shall participate  
21 in a course of study designed by the school district to meet the requirements established  
22 under subsection 3 of this section. The show me success diploma shall be available to  
23 any such student until the end of that student's twelfth grade year.

24 5. Students who earn a show me success diploma may remain in high school and  
25 participate in programs of study available through the school district or charter school  
26 until that student would otherwise have graduated at the end of grade twelve. For  
27 purposes of calculation and distribution of state aid, the school district or charter school  
28 of a pupil having earned a show me success diploma who remains enrolled in the school  
29 district or charter school shall continue to include the pupil in the pupil enrollment of  
30 each such school district or charter school and shall continue to receive funding for a  
31 pupil who earns a show me success diploma until that pupil would otherwise have  
32 graduated at the end of grade twelve. Students who elect to remain in high school under  
33 this subsection shall be eligible to participate in extracurricular activities, including  
34 interscholastic sports, through the end of grade twelve.

35 6. Students who pursue but do not meet the eligibility requirements for a show  
36 me success diploma at the end of grade ten or eleven shall receive a customized program  
37 of assistance during the next school year that addresses areas in which the student

38 **demonstrated deficiencies in the course requirements. Students may choose to return to**  
39 **a traditional academic program without completing the show me success diploma.**

40 **7. The department of elementary and secondary education shall provide**  
41 **training, guidance, and assistance to teachers and administrators of the schools offering**  
42 **the show me success diploma and shall closely monitor the progress of the schools in the**  
43 **development of the program.**

44 **8. Pupils who earn a show me success diploma and do not remain enrolled in the**  
45 **district or charter school and instead enroll, or show proof that they will enroll, in a**  
46 **postsecondary educational institution eligible to participate in a student aid program**  
47 **administered by the U.S. Department of Education shall be included in the district's or**  
48 **charter school's state aid calculation under section 163.031, until such time that the**  
49 **pupil would have completed the pupil's twelfth grade year had the pupil not earned a**  
50 **show me success diploma. The funding assigned to a pupil under this subsection shall be**  
51 **calculated as if the pupil's attendance percentage equaled the district's or charter**  
52 **school's prior year average attendance percentage. For a pupil who, as provided in this**  
53 **subsection, is included in the district's or charter school's state aid calculation but who**  
54 **is not enrolled in the district or charter school, an amount equal to ninety percent of the**  
55 **pupil's proportionate share of the state, local, and federal aid that the district or charter**  
56 **school receives for the pupil under this subsection shall be deposited by the school**  
57 **district or charter school into an account established under sections 166.400 to 166.455**  
58 **that lists the pupil as the beneficiary. The state treasurer shall provide guidance and**  
59 **assist school districts, charter schools, pupils, and parents or guardians of pupils with**  
60 **the creation, maintenance, and use of an account that has been established under**  
61 **sections 166.400 to 166.455.**

62 **9. The department of elementary and secondary education shall promulgate all**  
63 **necessary rules and regulations for the administration of this section. Any rule or**  
64 **portion of a rule, as that term is defined in section 536.010, that is created under the**  
65 **authority delegated in this section shall become effective only if it complies with and is**  
66 **subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This**  
67 **section and chapter 536 are nonseverable, and if any of the powers vested with the**  
68 **general assembly pursuant to chapter 536 to review, to delay the effective date, or to**  
69 **disapprove and annul a rule are subsequently held unconstitutional, then the grant of**  
70 **rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be**  
71 **invalid and void.**

160.2700. For purposes of sections 160.2700 to 160.2725, "adult high school" means  
2 a school that:

3 (1) Is for individuals who do not have a high school diploma and who are twenty-one  
4 years of age or older;

5 (2) Offers an industry certification program or programs and a high school diploma in  
6 a manner that allows students to earn a diploma at the same time that they earn an industry  
7 certification;

8 (3) Offers ~~on-site~~ child care for children of enrolled students attending the school;  
9 and

10 (4) Is not eligible to receive funding under section 160.415 or 163.031.

160.2705. 1. The department of elementary and secondary education shall authorize  
2 before January 1, 2018, a Missouri-based nonprofit organization meeting the criteria under  
3 subsection 2 of this section to establish and operate four adult high schools, with:

4 (1) One adult high school to be located in a city not within a county;

5 (2) One adult high school to be located in a county of the third classification without a  
6 township form of government and with more than forty-one thousand but fewer than forty-  
7 five thousand inhabitants or a county contiguous to that county;

8 (3) One adult high school to be located in a county of the first classification with  
9 more than two hundred sixty thousand but fewer than three hundred thousand inhabitants or a  
10 county contiguous to that county; and

11 (4) One adult high school to be located in a county of the first classification with  
12 more than one hundred fifty thousand but fewer than two hundred thousand inhabitants.

13 2. The department of elementary and secondary education shall grant the  
14 authorization described under subsection 1 of this section based on a bid process  
15 conducted in accordance with the rules and regulations governing purchasing through the  
16 office of administration. The successful bidder shall:

17 (1) Demonstrate the ability to establish, within twenty-one months of the receipt of  
18 the authorization, four adult high schools offering high school diplomas, an industry  
19 certification program or programs, and ~~on-site~~ child care for children of the students  
20 attending the high schools;

21 (2) Commit at least two million dollars in investment for the purpose of establishing  
22 the necessary infrastructure to operate four adult high schools;

23 (3) Demonstrate substantial and positive experience in providing services, including  
24 industry certifications and job placement services, to adults twenty-one years of age or older  
25 whose educational and training opportunities have been limited by educational disadvantages,  
26 disabilities, homelessness, criminal history, or similar circumstances;

27 (4) Establish a partnership with a state-supported postsecondary education institution  
28 or more than one such partnership, if a partnership or partnerships are necessary in order to  
29 meet the requirements for an adult high school;



30 (5) Establish a comprehensive plan that sets forth how the adult high schools will help  
31 address the need for a sufficiently trained workforce in the surrounding region for each adult  
32 high school;

33 (6) Establish partnerships and strategies for engaging the community and business  
34 leaders in carrying out the goals of each adult high school;

35 (7) Establish the ability to meet quality standards through certified teachers and  
36 programs that support each student in ~~[his or her]~~ **such student's** goal to find a more  
37 rewarding job;

38 (8) Establish a plan for assisting students in overcoming barriers to educational  
39 success including, but not limited to, educational disadvantages, homelessness, criminal  
40 history, disability, including learning disability such as dyslexia, and similar circumstances;

41 (9) Establish a process for determining outcomes of the adult high school, including  
42 outcomes related to a student's ability to find a more rewarding job through the attainment of  
43 a high school diploma and job training and certification; and

44 (10) Bids shall not include an administrative fee greater than ten percent.

45 3. (1) The department of elementary and secondary education shall establish  
46 academic requirements for students to obtain high school diplomas.

47 (2) Requirements for a high school diploma shall be based on an adult student's prior  
48 high school achievement and the remaining credits and coursework that would be necessary  
49 for the student to receive a high school diploma if ~~[he or she]~~ **such student** were in a  
50 traditional high school setting. The adult student shall meet the requirements with the same  
51 level of academic rigor as would otherwise be necessary to attain such credits.

52 (3) The adult high school authorized under this section shall award high school  
53 diplomas to students who successfully meet the established academic requirements. The  
54 adult high school authorized under this section shall confer the diploma as though the student  
55 earned the diploma at a traditional high school. The diploma shall have no differentiating  
56 marks, titles, or other symbols.

57 (4) Students at adult high schools may complete required coursework at their own  
58 pace and as available through the adult high school. They shall not be required to satisfy any  
59 specific number of class minutes. The adult high school may also make classes available to  
60 students online as may be appropriate. However, students shall not complete the majority of  
61 instruction of the school's curriculum online or through remote instruction. **For the purposes**  
62 **of this subsection, synchronous instruction connecting students to a live class conducted**  
63 **in a Missouri adult high school shall be treated the same as in-person instruction.**

64 (5) The department of elementary and secondary education shall not create additional  
65 regulations or burdens on the adult high school or the students attending the adult high

66 schools beyond certifying necessary credits and ensuring that students have sufficiently  
67 mastered the subject matter to make them eligible for credit.

68 **4. An adult high school shall be deemed a "secondary school system" for the**  
69 **purposes of subdivision (15) of subsection 1 of section 210.211.**

161.097. 1. The state board of education shall establish standards and procedures by  
2 which it will evaluate all teacher training institutions in this state for the approval of teacher  
3 education programs. The state board of education shall not require teacher training  
4 institutions to meet national or regional accreditation as a part of its standards and procedures  
5 in making those evaluations, but it may accept such accreditations in lieu of such approval if  
6 standards and procedures set thereby are at least as stringent as those set by the board. The  
7 state board of education's standards and procedures for evaluating teacher training institutions  
8 shall equal or exceed those of national or regional accrediting associations.

9 2. There is hereby established within the department of elementary and secondary  
10 education the "Missouri Advisory Board for Educator Preparation", hereinafter referred to as  
11 "MABEP". The MABEP shall advise the state board of education and the coordinating board  
12 for higher education regarding matters of mutual interest in the area of quality educator  
13 preparation programs in Missouri. **The advisory board shall include at least three active**  
14 **elementary or secondary classroom teachers and at least three faculty members within**  
15 **approved educator preparation programs. The classroom teacher members shall be**  
16 **selected to represent various regions of the state and districts of different sizes. The**  
17 **faculty representatives shall represent institutions from various regions of the state and**  
18 **sizes of program. The advisory board shall hold regular meetings that allow members**  
19 **to share needs and concerns and plan strategies to enhance teacher preparation.**

20 3. Upon approval by the state board of education of the teacher education program at  
21 a particular teacher training institution, any person who graduates from that program, and  
22 who meets other requirements which the state board of education shall prescribe by rule,  
23 regulation and statute shall be granted a certificate or license to teach in the public schools of  
24 this state. However, no such rule or regulation shall require that the program from which the  
25 person graduates be accredited by any national or regional accreditation association.

26 4. **The state board of education shall, in consultation with MABEP, align literacy**  
27 **and reading instruction coursework for teacher education programs in early childhood,**  
28 **kindergarten to fifth grade elementary teacher certification, middle school**  
29 **communication arts, high school communication arts, and all reading and special**  
30 **education certificates to include the following:**

31 **(1) Teacher candidates shall receive classroom and clinical training in:**

32 **(a) The core components of reading, including phonemic awareness, phonics,**  
33 **fluency, comprehension, morphology, syntax, and vocabulary;**

34           **(b) Identification of reading deficiencies, dyslexia, and other language**  
35 **difficulties;**

36           **(2) Teacher candidates shall also have training on:**

37           **(a) The selection and use of reading curricula and instructional materials;**

38           **(b) The administration and interpretation of assessments;**

39           **(c) How to translate assessment results into effective practice in the classroom**  
40 **specific to the needs of students; and**

41           **(d) Additional best practices in the field of literacy instruction as recommended**  
42 **by the literacy advisory council pursuant to section 186.080.**

43           **5.** Any rule or portion of a rule, as that term is defined in section 536.010, that is  
44 created under the authority delegated in this section shall become effective only if it complies  
45 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.  
46 This section and chapter 536 are nonseverable and if any of the powers vested with the  
47 general assembly pursuant to chapter 536 to review, to delay the effective date, or to  
48 disapprove and annul a rule are subsequently held unconstitutional, then the grant of  
49 rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid  
50 and void.

**161.214. 1. For purposes of this section, the following terms shall mean:**

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

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

4           **(3) "School innovation team", a group of natural persons officially authorized**  
5 **by:**

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

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

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

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

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

19           **(4) "School innovation waiver", a waiver granted by the board to a single school,**  
20 **group of schools, single school district, or group of school districts pursuant to this**

21 section, in which the school, group of schools, school district, or group of school districts  
22 is exempt from a specific requirement imposed by chapter 160, chapter 161, chapter  
23 162, chapter 167, chapter 170, or chapter 171, or any regulations promulgated  
24 thereunder by the board or the department. Any school innovation waiver granted to a  
25 school district or group of school districts shall be applicable to every elementary and  
26 secondary school within the school district or group of school districts unless the plan  
27 specifically provides otherwise.

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

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

32       **(2) Increasing the compensation of teachers; or**

33       **(3) Improving the recruitment, retention, training, preparation, or professional**  
34 **development of teachers.**

35       **3. Any plan for a school innovation waiver shall:**

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

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

42       **(3) Include measurable annual performance targets and goals for the**  
43 **implementation of the plan;**

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

46       **(5) Demonstrate parental, school employee, and community and business**  
47 **support for, and engagement with, the plan; and**

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

50       **4. (1) In evaluating a plan submitted by a school innovation team under**  
51 **subsection 2 of this section, the board shall consider whether the plan will:**

52       **(a) Improve the preparation, counseling, and overall readiness of students for**  
53 **postsecondary life;**

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

55       **(c) Increase the attractiveness of the teaching profession for prospective teachers**  
56 **and active teachers alike.**

57           **(2) The board may approve any plan submitted under subsection 2 of this**  
58 **section if it determines that:**

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

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

65           **(c) The plan has demonstrated sufficient participation from among the teachers,**  
66 **principals, superintendent, faculty, school board, parents, and the community at large;**  
67 **and**

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

71           **(3) The board may propose modifications to the plan in cooperation with the**  
72 **school innovation team.**

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

78           **6. This section shall not be construed to allow the state board of education to**  
79 **authorize the waiver of any statutory requirements relating to teacher certification,**  
80 **teacher tenure, or any requirement imposed by federal law.**

81           **7. The board may promulgate rules implementing the provisions of this section.**  
82 **Any rule or portion of a rule, as that term is defined in section 536.010, that is created**  
83 **under the authority delegated in this section shall become effective only if it complies**  
84 **with and is subject to all of the provisions of chapter 536 and, if applicable, section**  
85 **536.028. This section and chapter 536 are nonseverable, and if any of the powers vested**  
86 **with the general assembly pursuant to chapter 536 to review, to delay the effective date,**  
87 **or to disapprove and annul a rule are subsequently held unconstitutional, then the grant**  
88 **of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall**  
89 **be invalid and void.**

**161.241. 1. The state board of education, in collaboration with the coordinating**  
2 **board for higher education and the commissioner's advisory council under section**  
3 **186.080, shall develop a plan to establish a comprehensive system of services for reading**  
4 **instruction.**

5           2. The state board of education shall establish and periodically update a  
6 statewide literacy plan that supports high quality, evidence-based reading instruction  
7 for all students.

8           3. The state board of education shall create an office of literacy. The  
9 commissioner of education shall coordinate staff with roles relating to literacy and align  
10 staff work around supporting best practices in reading instruction.

11           4. The state board of education shall align literacy and reading instruction  
12 coursework for teacher education programs as required under subsection 4 of section  
13 161.097.

14           5. Subject to appropriation, the department of elementary and secondary  
15 education shall recruit and employ quality teacher trainers with expertise in reading  
16 instruction and provide opportunities for evidence-based professional development in  
17 reading instruction available for all active teachers.

18           6. The department shall maintain and publish data on reading outcomes,  
19 provided that the report shall not include individually identifiable student data.

20           7. The department shall publish criteria and examples to help districts and  
21 schools select and use evidence-based reading curricula and instructional materials.  
22 Additionally, the department shall publish a list of curricula that ensure instruction is  
23 explicit, systematic, diagnostic and based on phonological awareness, phonics, fluency,  
24 vocabulary, comprehension, morphology, syntax, and semantics. This shall be a  
25 resource to districts.

26           8. The department shall provide online tools and training for active teachers on  
27 evidence-based reading instruction.

28           9. There is hereby created in the state treasury the "Evidence-based Reading  
29 Instruction Program Fund". The fund shall be administered by the department and  
30 used to reimburse school districts and charter schools for efforts to improve student  
31 literacy, including, but not limited to: initiatives that provide optional training and  
32 materials to teachers regarding best practices in reading pedagogies; resources for  
33 parents and guardians to assist them in teaching their children to read; funding for  
34 reading tutoring programs outside of regular school hours; stipends for teachers who  
35 undergo additional training in reading instruction, which may also count toward  
36 professional development requirements; and funding for summer reading programs.  
37 The fund shall consist of moneys appropriated annually by the general assembly from  
38 general revenue to such fund, any moneys paid into the state treasury and required by  
39 law to be credited to such fund, and any gifts, bequests, or donations to such fund. The  
40 fund shall be kept separate and apart from all other moneys in the state treasury and  
41 shall be paid out by the state treasurer pursuant to chapter 33. Notwithstanding the

42 provisions of section 33.080 to the contrary, moneys in the fund at the end of the  
43 biennium shall not be transferred to the credit of the general revenue fund. All interest  
44 and moneys earned on the fund shall be credited to the fund.

161.380. 1. Subject to appropriations, the department of elementary and  
2 secondary education shall establish the "Competency-Based Education Grant  
3 Program".

4 2. (1) There is hereby created in the state treasury the "Competency-Based  
5 Education Grant Program Fund". The fund shall consist of any appropriations to such  
6 fund and any gifts, contributions, grants, or bequests received from private or other  
7 sources for the purpose of providing competency-based education programs. The state  
8 treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180,  
9 the state treasurer may approve disbursements of public moneys in accordance with  
10 distribution requirements and procedures developed by the department of elementary  
11 and secondary education. The fund shall be a dedicated fund and, upon appropriation,  
12 moneys in the fund shall be used solely for the administration of this section.

13 (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys  
14 remaining in the fund at the end of the biennium shall not revert to the credit of the  
15 general revenue fund.

16 (3) The state treasurer shall invest moneys in the fund in the same manner as  
17 other funds are invested. Any interest and moneys earned on such investments shall be  
18 credited to the fund.

19 3. The department of elementary and secondary education shall award grants  
20 from the competency-based education grant program fund to eligible school districts for  
21 the purpose of providing competency-based education programs. A school district  
22 wishing to receive such a grant shall submit an application to the department of  
23 elementary and secondary education addressing:

24 (1) A core mission that competency-based education courses shall help achieve;

25 (2) A plan that outlines competency-based education courses and key metrics  
26 that will show success;

27 (3) Resources available to the school and in the community that will assist in  
28 creating successful competency-based outcomes; and

29 (4) Resources and support needed to help the school succeed in implementing  
30 competency-based education courses.

31 4. The department of elementary and secondary education shall facilitate the  
32 creation, sharing, and development of course assessments, curriculum, training and  
33 guidance for teachers, and best practices for the school districts that offer competency-  
34 based education courses.

35           **5. For purposes of this section, the term "competency-based education**  
36 **program" means an educational program that:**

37           **(1) Affords students flexibility to progress and earn course credit upon**  
38 **demonstration of mastery, including through early high school graduation;**

39           **(2) Provides individual learning and assessment options, including through**  
40 **experiential and project-based learning, online or blended learning, additional remedial**  
41 **education time, and accelerated-pace curricula;**

42           **(3) Assesses student proficiency based on graduate profiles describing**  
43 **meaningful and critical knowledge and skills that students should have upon**  
44 **graduation; or**

45           **(4) Assesses student proficiency through tasks developed both locally and at the**  
46 **state level, performance of which demonstrate mastery.**

47           **6. The department of elementary and secondary education shall promulgate all**  
48 **necessary rules and regulations for the administration of this section. Any rule or**  
49 **portion of a rule, as that term is defined in section 536.010, that is created under the**  
50 **authority delegated in this section shall become effective only if it complies with and is**  
51 **subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This**  
52 **section and chapter 536 are nonseverable, and if any of the powers vested with the**  
53 **general assembly pursuant to chapter 536 to review, to delay the effective date, or to**  
54 **disapprove and annul a rule are subsequently held unconstitutional, then the grant of**  
55 **rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be**  
56 **invalid and void.**

**161.385. 1. There is hereby established the "Competency-Based Education Task**  
2 **Force" to study and develop competency-based education programs in public schools.**  
3 **Task force members shall be chosen to represent the geographic diversity of the state.**  
4 **Task force members shall be appointed for a term of two years and may be reappointed.**  
5 **All task force members shall be appointed before October 31, 2022, and every other**  
6 **year thereafter by December thirty-first of that year. The task force members shall be**  
7 **appointed as follows:**

8           **(1) Two members of the house of representatives appointed by the speaker of the**  
9 **house of representatives, with one such member from the majority party and one such**  
10 **member from the minority party;**

11           **(2) Two members of the senate appointed by the president pro tempore of the**  
12 **senate, with one such member from the majority party and one such member from the**  
13 **minority party;**

14           **(3) The commissioner of the department of elementary and secondary education**  
15 **or his or her designee; and**



16           **(4) Four members appointed by the governor. Two members shall each**  
17 **represent a separate school district that offers competency-based education courses.**

18           **2. The members of the task force established under subsection 1 of this section**  
19 **shall elect a chair from among the membership of the task force. The task force shall**  
20 **meet as needed to complete its consideration of its objectives as established in**  
21 **subsections 4 and 5 of this section. Any vacancy on the task force shall be filled in the**  
22 **same manner as the original appointment. Members of the task force shall serve**  
23 **without compensation, but shall be entitled to reimbursement for actual and necessary**  
24 **expenses incurred in the performance of official duties.**

25           **3. The department of elementary and secondary education shall provide such**  
26 **legal, research, clerical, and technical services as the task force may require in the**  
27 **performance of official duties.**

28           **4. The task force shall:**

29           **(1) Work toward implementing competency-based education courses statewide**  
30 **and devising a plan for Missouri to lead the way in competency-based education**  
31 **courses;**

32           **(2) Solicit input from individuals and organizations with information or**  
33 **expertise relevant to the task force's objective, including experts and educators with**  
34 **experience related to competency-based education programs;**

35           **(3) Hold at least three public hearings to provide an opportunity to receive**  
36 **public testimony including, but not limited to, testimony from educators, local school**  
37 **boards, parents, representatives from business and industry, labor and community**  
38 **leaders, members of the general assembly, and the general public;**

39           **(4) Identify promising competency-based education programs, including**  
40 **programs that:**

41           **(a) Afford students flexibility to progress and earn course credit upon**  
42 **demonstration of mastery, including through early high school graduation;**

43           **(b) Provide individual learning and assessment options, including through**  
44 **experiential and project-based learning, online or blended learning, additional remedial**  
45 **education time, and accelerated-pace curricula;**

46           **(c) Assess student proficiency through tasks developed both locally and at the**  
47 **state level, performance of which demonstrate mastery;**

48           **(5) Identify obstacles to implementing competency-based education programs in**  
49 **Missouri public schools;**

50           **(6) Develop comprehensive graduate profiles that describe meaningful and**  
51 **critical knowledge skills that students should have upon graduation that can be**  
52 **implemented into a diploma designation;**

53           **(7) Develop findings and recommendations for implementing competency-based**  
54 **education models and practices in Missouri public schools, including recommending**  
55 **changes to existing legislation, rules, and regulations; and**

56           **(8) Develop findings and recommendations for implementing a competency-**  
57 **based performance assessment that:**

58           **(a) Is consistent with the most effective competency-based education programs**  
59 **identified by the task force under subdivision (3) of this subsection;**

60           **(b) Assesses students based on both locally developed and common statewide**  
61 **performance tasks tied to grade and course competencies aligned with state content**  
62 **standards; and**

63           **(c) Complies with all applicable federal law, including 20 U.S.C. Section 6311(b)**  
64 **(1)(B), as amended. To the extent that implementing a competency-based performance**  
65 **assessment would require the department of elementary and secondary education to**  
66 **obtain innovative assessment and accountability demonstration authority under 20**  
67 **U.S.C. Section 6364, as amended, the task force shall develop findings and**  
68 **recommendations for obtaining such authority.**

69           **5. The task force shall present its findings and recommendations to the speaker**  
70 **of the house of representatives, the president pro tempore of the senate, the joint**  
71 **committee on education, and the state board of education by December first annually.**

162.720. 1. **(1) This subdivision shall apply to all school years ending before**  
2 **July 1, 2024.** Where a sufficient number of children are [~~determined to be~~] identified as  
3 gifted and their development requires programs or services beyond the level of those  
4 ordinarily provided in regular public school programs, districts may establish special  
5 programs for such gifted children.

6           **(2) For school year 2024-25 and all subsequent school years, if three percent or**  
7 **more of students enrolled in a school district are identified as gifted and their**  
8 **development requires programs or services beyond the level of those ordinarily**  
9 **provided in regular public school programs, the district shall establish a state-approved**  
10 **gifted program for gifted children.**

11           **2. For school year 2024-25 and all subsequent school years, any teacher**  
12 **providing gifted services to students in districts with an average daily attendance of**  
13 **more than three hundred fifty students shall be certificated in gifted education. In**  
14 **districts with an average daily attendance of three hundred fifty students or fewer, any**  
15 **teacher providing gifted services shall not be required to be certificated to teach gifted**  
16 **education but such teacher shall annually participate in at least six clock hours of**  
17 **professional development focused on gifted services. The school district shall pay for**  
18 **such professional development focused on gifted services.**

19           **3.** The state board of education shall determine standards for such **gifted** programs  
20 **and gifted services.** Approval of ~~[such]~~ **gifted** programs shall be made by the state  
21 department of elementary and secondary education based upon project applications submitted  
22 ~~[by July fifteenth of each year]~~ **at a time and in a form determined by the department of**  
23 **elementary and secondary education.**

24           ~~[3-]~~ **4.** No district shall ~~[make a determination as to whether]~~ **identify** a child ~~[is]~~ **as**  
25 **gifted** based on the child's participation in an advanced placement course or international  
26 baccalaureate course. Districts shall ~~[determine]~~ **identify** a child ~~[is]~~ **as** gifted only if the  
27 child meets the definition of gifted children as provided in section 162.675.

28           ~~[4-]~~ **5.** Any district with a gifted education program approved under subsection ~~[2]~~ **3**  
29 of this section shall have a policy, approved by the board of education of the district, that  
30 establishes a process that outlines the procedures and conditions under which parents or  
31 guardians may request a review of the decision ~~[that determined]~~ that their child did not  
32 qualify to receive services through the district's gifted education program.

33           ~~[5-]~~ **6.** School districts and school district employees shall be immune from liability  
34 for any and all acts or omissions relating to the decision that a child did not qualify to receive  
35 services through the district's gifted education program.

36           **7.** **The department of elementary and secondary education may promulgate all**  
37 **necessary rules and regulations for the implementation and administration of this**  
38 **section. Any rule or portion of a rule, as that term is defined in section 536.010, that is**  
39 **created under the authority delegated in this section shall become effective only if it**  
40 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**  
41 **section 536.028. This section and chapter 536 are nonseverable, and if any of the powers**  
42 **vested with the general assembly pursuant to chapter 536 to review, to delay the**  
43 **effective date, or to disapprove and annul a rule are subsequently held unconstitutional,**  
44 **then the grant of rulemaking authority and any rule proposed or adopted after August**  
45 **28, 2022, shall be invalid and void.**

**162.1255. 1.** For purposes of this section, the following terms shall mean:

2           **(1) "Competency-based credit", credit awarded by school districts and charter**  
3 **schools to high school students upon demonstration of competency as determined by a**  
4 **school district. Such credit shall be awarded upon receipt of "proficient" or**  
5 **"advanced" on an end-of-course assessment;**

6           **(2) "Prior year average attendance percentage", the quotient of the district or**  
7 **charter school's prior year average daily attendance divided by the district or charter**  
8 **school's prior year average yearly enrollment.**

9           **2.** **School districts and charter schools shall receive state school funding under**  
10 **sections 163.031, 163.043, 163.044, and 163.087 for resident pupils enrolled in the school**

11 **district or charter school and taking competency-based courses offered by the school**  
12 **district.**

13 **3. For purposes of calculation and distribution of state aid under section**  
14 **163.031, attendance of a student enrolled in a district's or charter school's competency-**  
15 **based courses shall equal, upon course completion, the product of the district or charter**  
16 **school's prior year average attendance percentage multiplied by the total number of**  
17 **attendance hours normally allocable to a noncompetency-based course of equal credit**  
18 **value.**

163.016. **1. Notwithstanding the provisions of section 163.011, for any school district**  
2 **located in more than one county and whose headquarters are located within a city of the**  
3 **fourth classification with more than two thousand five hundred but fewer than two thousand**  
4 **six hundred inhabitants and located in more than one county, the county signified in the**  
5 **school district number shall be the county in the district with the highest dollar value**  
6 **modifier.**

7 **2. Notwithstanding the provisions of section 163.011 to the contrary, for any**  
8 **school district located in more than one county and whose headquarters are located**  
9 **within a city with more than two thousand seven hundred but fewer than three**  
10 **thousand inhabitants and located in a county with more than fourteen thousand but**  
11 **fewer than fifteen thousand seven hundred inhabitants and with a county seat with**  
12 **more than two thousand but fewer than three thousand inhabitants, the county signified**  
13 **in the school district number shall be the county in the district with the highest dollar**  
14 **value modifier.**

15 **3. Notwithstanding the provisions of section 163.011 to the contrary, for any**  
16 **school district located in more than one county and whose headquarters are located**  
17 **within a city with more than one thousand one hundred seventy but fewer than one**  
18 **thousand three hundred inhabitants and located in a county with more than sixty**  
19 **thousand but fewer than seventy thousand inhabitants, the county signified in the school**  
20 **district number shall be the county in the district with the highest dollar value modifier.**

21 **4. Notwithstanding the provisions of section 163.011 to the contrary, for any**  
22 **school district located in more than one county and whose headquarters are located**  
23 **within a city with more than one thousand three hundred but fewer than one thousand**  
24 **five hundred inhabitants and partially located in a county with more than eight**  
25 **thousand but fewer than eight thousand nine hundred inhabitants and with a county**  
26 **seat with more than three hundred but fewer than six hundred inhabitants, the county**  
27 **signified in the school district number shall be the county in the district with the highest**  
28 **dollar value modifier.**

167.268. 1. Each ~~[local]~~ school district **and charter school** shall have on file a policy  
2 for reading ~~[intervention]~~ **success plans** ~~[for any pupils of the district in grades kindergarten~~  
3 ~~through three pursuant to the provisions of this section. Such plans shall identify strategies to~~  
4 ~~be followed by the district teachers to raise a pupil identified as reading below grade level by~~  
5 ~~recognized methods to reading at grade level by the end of the third grade. Recognized~~  
6 ~~methods of identification may include but need not be limited to the scores of the pupil~~  
7 ~~obtained through any established standardized testing program currently administered by the~~  
8 ~~district, observations of classroom teachers, and documented classroom performance]. Each~~  
9 **school district and charter school shall provide all parents and guardians of students,**  
10 **including parents of students who are identified as having a substantial deficiency in**  
11 **reading under subsection 1 of section 167.645, with suggestions for regular parent-**  
12 **guided home reading.**

13 2. ~~[The state board of education]~~ **The department of elementary and secondary**  
14 **education** shall develop guidelines to assist districts **and charter schools** in formulating  
15 policies for reading ~~[intervention]~~ **success plans**. Such guidelines may include, but are not  
16 limited to, **measures of reading proficiency, strategies for addressing reading**  
17 **deficiencies**, timelines for measuring pupil improvement in reading, **and** information on  
18 screening ~~[for and treatment]~~ of ~~[auditory]~~ dyslexia~~[-, and information on the Lindamood~~  
19 ~~Auditory Conceptualization Test and the Auditory Discrimination in Depth Program]~~. Such  
20 guidelines may also identify performance levels for pupils identified as handicapped or  
21 severely handicapped and conditions under which such pupils ~~[are]~~ **may be** exempt from the  
22 provisions of this section **and section 167.645.**

23 3. ~~[Each local school district enrolling a pupil identified as reading below grade level~~  
24 ~~shall develop an individual plan of reading intervention for such pupil. The individual pupil's~~  
25 ~~plan may include individual or group reading development activities. The plan may be~~  
26 ~~developed after consultation with the pupil's parent or legal guardian]~~ **Each school district**  
27 **and charter school shall provide intensive reading instruction to students as provided in**  
28 **section 167.645.**

167.630. 1. Each school board may authorize a school nurse licensed under chapter  
2 335 who is employed by the school district and for whom the board is responsible for to  
3 maintain an adequate supply of prefilled auto syringes of epinephrine with fifteen-hundredths  
4 milligram or three-tenths milligram delivery at the school. The nurse shall recommend to the  
5 school board the number of prefilled epinephrine auto syringes that the school should  
6 maintain.

7 2. To obtain prefilled epinephrine auto syringes for a school district, a prescription  
8 written by a licensed physician, a physician's assistant, or nurse practitioner is required. For

9 such prescriptions, the school district shall be designated as the patient, the nurse's name shall  
10 be required, and the prescription shall be filled at a licensed pharmacy.

11 3. A school nurse [ø], **agent trained by a nurse and contracted for the**  
12 **transportation of school children, or** other school employee trained by and supervised by  
13 the nurse, shall have the discretion to use an epinephrine auto syringe on any student the  
14 school nurse [ø], trained employee, **or trained agent contracted for the transportation of**  
15 **school children** believes is having a life-threatening anaphylactic reaction based on the  
16 training in recognizing an acute episode of an anaphylactic reaction. The provisions of  
17 section 167.624 concerning immunity from civil liability for trained employees administering  
18 lifesaving methods shall apply to trained employees administering a prefilled auto syringe  
19 under this section. **Trained agents contracted for the transportation of school children**  
20 **shall have immunity from civil liability for administering a prefilled auto syringe under**  
21 **this section.**

167.640. 1. School districts [~~may~~] **shall** adopt a policy with regard to student  
2 promotion which may require remediation as a condition of promotion to the next grade level  
3 for any student identified by the district as failing to master skills and competencies  
4 established for that particular grade level by the district board of education. School districts  
5 may also require parents or guardians of such students to commit to conduct home-based  
6 tutorial activities with their children or, in the case of a student with disabilities eligible for  
7 services pursuant to sections 162.670 to 162.1000, the individual education plan shall  
8 determine the nature of parental involvement consistent with the requirements for a free,  
9 appropriate public education.

10 2. Such remediation shall recognize that different students learn differently and shall  
11 employ methods designed to help these students achieve at high levels. Such remediation  
12 may include, but shall not necessarily be limited to, a mandatory summer school program  
13 focused on the areas of deficiency or other such activities conducted by the school district  
14 outside of the regular school day. Decisions concerning the instruction of a child who  
15 receives special educational services pursuant to sections 162.670 to 162.1000 shall be made  
16 in accordance with the child's individualized education plan.

17 3. School districts providing remediation pursuant to this section **or section 167.645**  
18 outside of the traditional school day may count extra hours of instruction in the calculation of  
19 average daily attendance as defined in section 163.011.

167.645. 1. [~~For purposes of this section, the following terms mean:~~

2 (1) "~~Reading assessment~~", a recognized method of judging a student's reading ability,  
3 ~~with results expressed as reading at a particular grade level. The term reading assessment~~  
4 ~~shall include, but is not limited to, standard checklists designed for use as a student reads out~~  
5 ~~loud, paper and pencil tests promulgated by nationally recognized organizations and other~~

6 ~~recognized methods of determining a student's reading accuracy, expression, fluency and~~  
7 ~~comprehension in order to make a determination of the student's grade level reading ability.~~  
8 ~~Assessments which do not give a grade level result may be used in combination with other~~  
9 ~~assessments to reach a grade level determination. Districts are encouraged but not required to~~  
10 ~~select assessment methods identified pursuant to section 167.346. Districts are also~~  
11 ~~encouraged to use multiple methods of assessment;~~

12 ~~(2) "Summer school", for reading instruction purposes, a minimum of forty hours of~~  
13 ~~reading instruction and practice. A school district may arrange the hours and days of~~  
14 ~~instruction to coordinate with its regular program of summer school.~~

15 ~~2. For purposes of this section, methods of reading assessment shall be determined by~~  
16 ~~each school district. Unless a student has been determined in the current school year to be~~  
17 ~~reading at grade level or above, each school district shall administer a reading assessment or~~  
18 ~~set of assessments to each student within forty five days of the end of the third grade year,~~  
19 ~~except that the provisions of this subsection shall not apply to students receiving special~~  
20 ~~education services under an individualized education plan pursuant to sections 162.670 to~~  
21 ~~162.999, to students receiving services pursuant to Section 504 of the Rehabilitation Act of~~  
22 ~~1973 whose services plan includes an element addressing reading or to students determined to~~  
23 ~~have limited English proficiency or to students who have been determined, prior to the~~  
24 ~~beginning of any school year, to have a cognitive ability insufficient to meet the reading~~  
25 ~~requirement set out in this section, provided that districts shall provide reading improvement~~  
26 ~~plans for students determined to have such insufficient cognitive ability. The assessment~~  
27 ~~required by this subsection shall also be required for students who enter a school district in~~  
28 ~~grades four, five or six unless such student has been determined in the current school year to~~  
29 ~~be reading at grade level or above.~~

30 ~~3. Beginning with school year 2002-03, for each student whose third grade reading~~  
31 ~~assessment determines that such student is reading below second grade level, the school~~  
32 ~~district shall design a reading improvement plan for the student's fourth grade year. Such~~  
33 ~~reading improvement plan shall include, at a minimum, thirty hours of additional reading~~  
34 ~~instruction or practice outside the regular school day during the fourth grade year. The school~~  
35 ~~district shall determine the method of reading instruction necessary to enforce this subsection.~~  
36 ~~The school district may also require the student to attend summer school for reading~~  
37 ~~instruction as a condition of promotion to fourth grade. The department of elementary and~~  
38 ~~secondary education may, from funds appropriated for the purpose, reimburse school districts~~  
39 ~~for additional instructional personnel costs incurred in the implementation and execution of~~  
40 ~~the thirty hours of additional reading instruction minus the revenue generated by the school~~  
41 ~~district through the foundation formula for the additional reading instruction average daily~~  
42 ~~attendance.~~

43           4. ~~Each student for whom a reading improvement plan has been designed pursuant to~~  
44 ~~subsection 3 of this section shall be given another reading assessment, to be administered~~  
45 ~~within forty five days of the end of such student's fourth grade year. If such student is~~  
46 ~~determined to be reading below third grade level, the student shall be required to attend~~  
47 ~~summer school to receive reading instruction. At the end of such summer school instruction,~~  
48 ~~such student shall be given another reading assessment. If such student is determined to be~~  
49 ~~reading below third grade level, the district shall notify the student's parents or guardians, and~~  
50 ~~the student shall not be promoted to fifth grade. No student shall be denied promotion more~~  
51 ~~than once solely for inability to meet the reading standards set out in this section.~~

52           5. ~~The process described in subsections 3 and 4 of this section shall be repeated as~~  
53 ~~necessary through the end of the sixth grade, with the target grade level rising accordingly.~~  
54 ~~Mandatory retention in grade shall not apply to grades subsequent to fourth grade.~~

55           6. ~~The mandatory process of additional reading instruction pursuant to this section~~  
56 ~~shall cease at the end of the sixth grade. The permanent record of students who are~~  
57 ~~determined to be reading below the fifth grade level at the end of sixth grade shall carry a~~  
58 ~~notation advising that such student has not met minimal reading standards. The notation shall~~  
59 ~~stay on the student's record until such time as the district determines that a student has met~~  
60 ~~minimal reading standards.~~

61           7. ~~Each school district shall be required to offer summer school reading instruction to~~  
62 ~~any student with a reading improvement plan. Districts may fulfill the requirement of this~~  
63 ~~section through cooperative arrangements with neighboring districts; provided that such~~  
64 ~~districts shall timely make all payments provided pursuant to such cooperative agreements.~~

65           8. ~~A school district may adopt a policy that requires retention in grade of any student~~  
66 ~~who has been determined to require summer school instruction in reading and who does not~~  
67 ~~fulfill the summer school attendance requirement.~~

68           9. ~~Nothing in this section shall preclude a school district from retaining any student in~~  
69 ~~grade when a determination is made in accordance with district policy that retention is in the~~  
70 ~~best interests of the student.~~

71           10. ~~The state board of education shall not incorporate information about the number~~  
72 ~~of students receiving additional instruction pursuant to this section into any element of any~~  
73 ~~standard of the Missouri school improvement program or its successor accreditation program;~~  
74 ~~provided, however, each district shall make available, upon the request of any parent, patron,~~  
75 ~~or media outlet within the district, the number and percentage of students receiving~~  
76 ~~remediation pursuant to this section. The information shall be presented in a way that does~~  
77 ~~not permit personal identification of any student or educational personnel.~~

78           11. ~~Each school district shall make a systematic effort to inform parents of the~~  
79 ~~methods and materials used to teach reading in kindergarten through fourth grade, in terms~~



80 ~~understandable to a layperson and shall similarly inform parents of students for whom a~~  
81 ~~reading improvement plan is required pursuant to this section]~~ **Each school district and**  
82 **charter school shall assess all students enrolled in kindergarten through grade three at**  
83 **the beginning and end of each school year for their level of reading or reading readiness**  
84 **on state-approved reading assessments. Additionally all school districts and charter**  
85 **schools shall assess any newly enrolled student in grades one through five for their level**  
86 **of reading or reading readiness on a reading assessment from the state-approved list. At**  
87 **the beginning of the school year, each school district and charter school shall provide a**  
88 **reading success plan to any student who:**

89       **(1) Exhibits a substantial deficiency in reading which creates a barrier to the**  
90 **child's progress learning to read. The identification of such deficiency may be based**  
91 **upon the most recent assessments or teacher observation; or**

92       **(2) Has been identified as being at risk of dyslexia in the statewide dyslexia**  
93 **screening or has a formal diagnosis of dyslexia.**

94

95 **For the purposes of this section, a substantial reading deficiency shall refer to a student**  
96 **who is one or more grade level or levels behind in reading or reading readiness;**  
97 **provided that nothing in this section shall be interpreted to prevent a school district or**  
98 **charter school from offering a reading success plan to any student based on an**  
99 **assessment completed at the start and end of the school year or teacher observation. For**  
100 **any student entering the school district or charter school after the start of the school**  
101 **year, such student shall be provided a reading success plan in the event the student has**  
102 **been identified as having a substantial reading deficiency based on the student's most**  
103 **recent assessment or otherwise being identified through teacher observation. The**  
104 **student's reading proficiency shall be reassessed by reading assessments on the state-**  
105 **approved list. The student shall continue to be provided with intensive reading**  
106 **instruction under a reading success plan until the reading deficiency is remedied.**

107       **2. The district or charter school shall notify the parent or guardian of any**  
108 **student in kindergarten through grade three who exhibits a substantial deficiency in**  
109 **reading, as described in subsection 1 of this section, at least annually in writing, and in**  
110 **an appropriate, alternative manner for the parent or other guardian if necessary, of the**  
111 **following:**

112       **(1) That the child has been identified as having a substantial deficiency in**  
113 **reading;**

114       **(2) A description of the services currently provided to the child;**

115       **(3) A description of the proposed supplemental instructional services and**  
116 **supports that the school district will provide to the child that are designed to remediate**

117 the identified area of reading deficiency. For students identified being at risk of dyslexia  
118 or those that have a diagnosis of dyslexia the district shall provide an explanation that  
119 the instruction that will be used to teach the child reading shall be explicit, systematic,  
120 and diagnostic and based on phonological awareness, phonics, fluency, vocabulary,  
121 comprehension, morphology, syntax, and semantics;

122 (4) Strategies for parents and guardians to use in helping the child succeed in  
123 reading proficiency, including but not limited to the promotion of parent-guided home  
124 reading.

125 3. If the school district or charter school provides a summer reading program  
126 under this section, the district or charter school shall notify the parent or guardian of  
127 each student who exhibits a substantial deficiency in reading of the opportunity to  
128 attend the summer reading program.

129 4. If a student has a substantial reading deficiency at the end of third grade, the  
130 student's parent or guardian and appropriate school staff shall discuss whether the  
131 student should be retained in grade level, based on a consideration of all relevant  
132 factors, including the reading deficiency, the student's progress in other subject areas,  
133 and the student's overall intellectual, physical, emotional, and social development. A  
134 decision to promote or retain a student with a substantial reading deficiency at the end  
135 of grade three shall be made only after direct personal consultation with the student's  
136 parent or guardian and after the formulation of a specific plan of action to remedy the  
137 student's reading deficiency.

138 5. Each school district or charter school shall do all of the following:

139 (1) Provide students who are identified as having a substantial deficiency in  
140 reading under subsection 1 of this section, have been identified as being at risk of  
141 dyslexia in the statewide dyslexia screening or have a formal diagnosis of dyslexia with  
142 intensive instructional services and supports specified in a reading success plan, as  
143 appropriate according to student need, free of charge, to remediate the identified areas  
144 of reading deficiency, including additional scientific, evidence-based reading instruction  
145 and other strategies prescribed by the school district or charter school which may  
146 include, but are not limited to, the following:

147 (a) Small group or individual instruction;

148 (b) Reduced teacher-student ratios;

149 (c) More frequent progress monitoring;

150 (d) Tutoring or mentoring;

151 (e) Extended school day, week, or year; and

152 (f) Summer reading programs;

153           **(2) For any student with a formal diagnosis of dyslexia or for a student who was**  
154 **found to be at risk of dyslexia in the statewide dyslexia screening, the school district or**  
155 **charter school shall provide evidence-based reading instruction that addresses**  
156 **phonology, sound-symbol association, syllable instruction, morphology, syntax, and**  
157 **semantics provided through systematic, cumulative, explicit, and diagnostic methods;**

158           **(3) At regular intervals, but no less than four times per year in a manner that**  
159 **reflects progress through each school term, notify the parent or guardian of academic**  
160 **and other progress being made by the student and give the parent or guardian other**  
161 **useful information.**

162           **(4) In addition to required reading enhancement and acceleration strategies,**  
163 **provide all parents of students, including parents of students who are identified as**  
164 **having a substantial deficiency in reading under subsection 1 of this section, with a plan**  
165 **that includes suggestions for regular parent-guided home reading.**

166           **6. Each school district and charter school shall ensure that intensive reading**  
167 **instruction through a reading development initiative shall be provided to each**  
168 **kindergarten through grade five student who is assessed as exhibiting a substantial**  
169 **deficiency in reading. In addition to the requirements otherwise provided, such**  
170 **instruction will also comply with all of the following criteria:**

171           **(1) Be provided to all kindergarten through grade five students who exhibit a**  
172 **substantial deficiency in reading under this section. The assessments shall measure**  
173 **phonemic awareness, phonics, fluency, vocabulary, and comprehension;**

174           **(2) Be provided during regular school hours;**

175           **(3) Provide a reading curriculum that meets the requirements of section 170.014,**  
176 **and at a minimum has the following specifications:**

177           **(a) Assists students assessed as exhibiting a substantial deficiency in reading to**  
178 **develop the skills to read at grade level;**

179           **(b) Provides skill development in phonemic awareness, phonics, fluency,**  
180 **vocabulary, and comprehension;**

181           **(c) Includes a scientifically based and reliable assessment;**

182           **(d) Provides initial and ongoing analysis of each student's reading progress; and**

183           **(e) Provides a curriculum in core academic subjects to assist the student in**  
184 **maintaining or meeting proficiency levels for the appropriate grade in all academic**  
185 **subjects.**

186           **7. School districts and charter schools shall report to the department the specific**  
187 **intensive reading interventions and supports implemented by the school district or**  
188 **charter school pursuant to this section as well as the reading assessment data collected**

189 for grades kindergarten through five. The department shall annually prescribe the  
190 components of required or requested reports.

191 8. (1) Each school district and charter school shall address reading proficiency  
192 as part of its comprehensive school improvement plan, drawing upon information about  
193 children from assessments conducted pursuant to subsection 1 of this section and the  
194 prevalence of deficiencies identified by classroom, elementary school, and other student  
195 characteristics. As part of its comprehensive school improvement plan or contract, each  
196 school district or charter school shall review chronic early elementary absenteeism for  
197 its impact on literacy development. If more than fifteen percent of an attendance  
198 center's students are not at grade level in reading by the end of third grade, the  
199 comprehensive school improvement plan or contract shall include strategies to reduce  
200 that percentage, including school and community strategies to raise the percentage of  
201 students who are proficient in reading.

202 (2) Each school district and charter school shall provide professional  
203 development services to enhance the skills of elementary teachers in responding to  
204 children's unique reading issues and needs and to increase the use of evidence-based  
205 strategies.

167.850. 1. For purposes of the provisions of this section, the following terms  
2 shall mean:

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

4 (2) "Commissioner", the commissioner of education;

5 (3) "Eligible student", a student who is in recovery from substance use disorder  
6 or substance dependency, or such a condition along with co-occurring disorders such as  
7 anxiety, depression, and attention deficit hyperactivity disorder, and who is determined  
8 by a recovery high school to be a student who would academically and clinically benefit  
9 from placement in the recovery high school and is committed to working on their  
10 recovery. The recovery high school shall consider available information including any  
11 recommendation of a drug counselor, alcoholism counselor, or substance abuse  
12 counselor licensed or certified pursuant to applicable laws and regulations;

13 (4) "Recovery high school", a public high school that serves eligible students,  
14 and that provides both a comprehensive four-year high school education in an  
15 alternative public school setting and a structured plan of recovery;

16 (5) "Sending district", the school district where a student attending or planning  
17 to attend the recovery high school resides, and from which the student is referred for  
18 enrollment in a recovery high school.

19 2. (1) The commissioner may approve and authorize up to four pilot recovery  
20 high schools, geographically located in metropolitan areas throughout the state, to be

21 established by school districts or groups of school districts for the purpose of  
22 demonstrating the effectiveness of the recovery high school model in this state. The  
23 commissioner shall issue a request for proposals from school districts to operate a pilot  
24 recovery high school. Such proposals may be submitted by an individual school district  
25 proposing to operate a recovery high school, or by a group of school districts proposing  
26 to jointly operate such a school. Such proposals shall be submitted to the commissioner  
27 no later than December first of the school year prior to the school year in which the  
28 recovery high school is proposed to begin operation. The approval of the board shall be  
29 required in order for the recovery high school to begin operation.

30 (2) Proposals shall detail how the district or districts will satisfy the criteria for a  
31 high school education program pursuant to state law and board rule, and how the  
32 recovery high school will satisfy the requirements for accreditation by the Association of  
33 Recovery Schools or another recovery school accreditation organization authorized by  
34 the state board. The proposal shall include a financial plan outlining the anticipated  
35 public and private funding that will allow the recovery high school to operate and meet  
36 the school's educational and recovery criteria. The district or districts may partner with  
37 one or more local nonprofit organizations or other local educational agencies regarding  
38 establishment and operation of a recovery high school and may establish a joint board  
39 to oversee the operation of the recovery high school, pursuant to a memorandum of  
40 understanding entered with such organization or organizations.

41 (3) By approval of the proposal upon the recommendation of the commissioner,  
42 the board shall be deemed to have authorized all necessary equivalencies and waivers of  
43 regulations enumerated in the proposal.

44 (4) The commissioner may specify an authorization period for the recovery high  
45 school which shall be no less than four years. By June thirtieth of each year the  
46 recovery high school is in operation, the school district or group of school districts, in  
47 consultation with the recovery high school, shall submit to the commissioner an analysis  
48 of the recovery high school's educational, recovery, and other related outcomes, as  
49 specified in the proposal. The commissioner shall review the analysis and renew  
50 recovery high schools meeting the requirements of this section and the requirements of  
51 the school's proposal and may include terms and conditions to address areas needing  
52 correction or improvement. The commissioner may revoke or suspend the  
53 authorization of a recovery high school not meeting the requirements of this section  
54 or the requirements of the school's proposal.

55 (5) Pupil attendance, dropout rate, student performance on statewide  
56 assessments, and other data considered in the Missouri school improvement program  
57 and school accreditation shall not be attributed to the general accreditation of either a

58 sending district or the district or districts operating the recovery high school and may  
59 only be used by the commissioner in the renewal process for the recovery high school as  
60 provided in this subsection.

61       3. (1) A school district may enter into an agreement with a district or districts  
62 operating a recovery high school for the enrollment of an eligible student who is  
63 currently enrolled in or resides in the sending district.

64       (2) A parent or guardian may seek to enroll an eligible student residing in a  
65 sending district in a recovery high school created under this section. A student over the  
66 age of eighteen years residing in a sending district may seek to enroll in a recovery high  
67 school.

68       (3) A recovery high school shall not limit or deny admission to an eligible student  
69 based on race, ethnicity, national origin, disability, income level, proficiency in the  
70 English language, or athletic ability.

71       4. (1) The recovery high school shall annually adopt a policy establishing a  
72 tuition rate for its students no later than February first of the preceding school year.

73       (2) The sending district of an eligible student who is enrolled in and attending a  
74 recovery high school shall pay tuition to the recovery high school equal to the lesser of:

75       (a) The tuition rate established pursuant to subdivision (1) of this subsection; or

76       (b) The state adequacy target, as defined under section 163.011, plus the average  
77 sum produced per child by the local tax effort above the state adequacy target of the  
78 sending district.

79       (3) If costs associated with the provision of special education and related  
80 disability services to the student exceed the tuition to be paid pursuant to subdivision (2)  
81 of this subsection, the sending district shall remain responsible for paying the excess cost  
82 to the recovery high school.

83       (4) The commissioner may enter into an agreement with the appropriate official  
84 or agency of another state to develop a reciprocity agreement for otherwise eligible, non-  
85 resident students seeking to attend a recovery high school in Missouri. A recovery high  
86 school may enroll otherwise eligible students residing in a state other than Missouri,  
87 pursuant to such reciprocity agreement. Such reciprocity agreement shall require the  
88 out-of-state student's district of residence to pay to the recovery high school an annual  
89 amount equal to one hundred and five percent of the tuition rate for the recovery high  
90 school established pursuant to this subsection. If an otherwise eligible student resides in  
91 a state that is not subject to a reciprocity agreement, such student may attend a recovery  
92 high school provided such student pays to the school one hundred and five percent of the  
93 tuition rate for the recovery high school established pursuant to this subsection. No

94 **student enrolled and attending a recovery high school under this subdivision shall be**  
95 **included as a resident pupil for any state aid purpose under chapter 163.**

96 **5. The state board of education, in consultation with the department of mental**  
97 **health, may promulgate rules to implement the provisions of this section. Any rule or**  
98 **portion of a rule, as that term is defined in section 536.010, that is created under the**  
99 **authority delegated in this section shall become effective only if it complies with and is**  
100 **subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This**  
101 **section and chapter 536 are nonseverable, and if any of the powers vested with the**  
102 **general assembly pursuant to chapter 536 to review, to delay the effective date, or to**  
103 **disapprove and annul a rule are subsequently held unconstitutional, then the grant of**  
104 **rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be**  
105 **invalid and void.**

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

- 12 (1) Requirements for graduation from the school district or charter school;
- 13 (2) Career or postsecondary goals;
- 14 (3) Coursework or program of study related to career and postsecondary goals, which  
15 shall include, if relevant, opportunities that the district or school may not directly offer;
- 16 (4) Grade-appropriate and career-related experiences, as outlined in the grade-level  
17 expectations of the Missouri comprehensive guidance program; and
- 18 (5) Student assessments, interest inventories, or academic results needed to develop,  
19 review, and revise the personal plan of study, which shall include, if relevant, assessments,  
20 inventories, or academic results that the school district or charter school may not offer.

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

24 **3. Each student prior to the completion of the second semester of the student's**  
25 **twelfth-grade year shall include, as part of the student's individual career and academic**

26 **plan, a declaration of the student's postsecondary plans including, but not limited to, the**  
27 **following:**

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

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

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

- 8 **(1) Written confirmation of a commitment to enlist in the Armed Forces of the**  
9 **United States; or**
- 10 **(2) A written document or form, signed by the student's parent or guardian,**  
11 **attesting that the student understands what the application is and has chosen not to file**  
12 **such application.**

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

16 **4. The department of elementary and secondary education shall establish a**  
17 **process by which each student adheres to subsection 1 of this section unless the student**  
18 **is exempt under the criteria under subsection 2 or subsection 3 of this section.**

19 **5. This section shall become effective on July 1, 2023.**

**167.908. 1. The department of higher education and workforce development**  
2 **shall, by rule, establish a procedure for providing the means and capability for high**  
3 **school students enrolled in career and technical education programs described in section**  
4 **170.029 to complete an application for aid through the Employment and Training**  
5 **Administration of the United States Department of Labor under the federal Workforce**  
6 **Innovation and Opportunity Act. The department shall work with school districts that**  
7 **deliver career and technical education programs to educate students on the value of the**  
8 **aid that is available to them through the federal Workforce Innovation and Opportunity**  
9 **Act, P.L. 113-128, as amended.**



10           **2. To accomplish the purposes of subsection 1 of this section, the department**  
11 **shall ensure that the following percentages of all department of elementary and**  
12 **secondary education area career centers that deliver career and technical education**  
13 **programs have the means and capability for students at such schools to complete an**  
14 **application for aid through the Employment and Training Administration of the United**  
15 **States Department of Labor under the federal Workforce Innovation and Opportunity**  
16 **Act, P.L. 113-128, as amended:**

- 17           **(1) For the 2022-23 school year, fifty percent;**  
18           **(2) For the 2023-24 school year, seventy percent;**  
19           **(3) For the 2024-25 school year, ninety percent; and**  
20           **(4) For the 2025-26 school year and every school year thereafter, one hundred**  
21 **percent.**

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

- 3           (1) By the state board, under rules and regulations prescribed by it:  
4           (a) Upon the basis of college credit;  
5           (b) Upon the basis of examination;  
6           (2) By the state board, under rules and regulations prescribed by the state board with  
7 advice from the advisory council established by section 168.015 to any individual who  
8 presents to the state board a valid doctoral degree from an accredited institution of higher  
9 education accredited by a regional accrediting association such as North Central Association.  
10 Such certificate shall be limited to the major area of postgraduate study of the holder, shall be  
11 issued only after successful completion of the examination required for graduation pursuant  
12 to rules adopted by the state board of education, and shall be restricted to those certificates  
13 established pursuant to subdivision (2) of subsection 3 of this section;  
14           (3) By the state board, which shall issue the professional certificate classification in  
15 both the general and specialized areas most closely aligned with the current areas of  
16 certification approved by the state board, commensurate with the years of teaching experience  
17 of the applicant, and based upon the following criteria:  
18           (a) Recommendation of a state-approved baccalaureate-level teacher preparation  
19 program;  
20           (b) **a.** Successful attainment of the Missouri qualifying score on the exit assessment  
21 for teachers or administrators designated by the state board of education[-];  
22           **b. (i)** Applicants who have not successfully achieved a qualifying score on the  
23 designated examinations will be issued a two-year nonrenewable provisional certificate;  
24           **(ii) During the two-year nonrenewable provisional certification, an individual**  
25 **teacher may gain full professional certification by:**

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

27 **ii. Successfully achieving an acceptable score on the state-approved teacher**  
28 **evaluation system from seven walk-through evaluations, two formative evaluations, and**  
29 **one summative evaluation for each of the two probationary years and being offered a**  
30 **third contract by the employing district. For any applicant who has a change in job**  
31 **status because of a reduction in the workforce or a change in life circumstances, the**  
32 **scores required under this item may be scores achieved in any school district during the**  
33 **two-year nonrenewable provisional certification period; and**

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;**  
37 **and**

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

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

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

62 applicant shall be eligible to apply for a career continuous professional certificate under  
63 subdivision (3) of subsection 3 of this section:

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

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

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

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

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

74 ~~(a)~~ **a.** Verification from the hiring school district that the applicant will be  
75 employed as part of a business-education partnership initiative designed to build career  
76 pathways systems **or employed as part of an initiative designed to fill vacant positions in**  
77 **hard-to-staff public schools or hard-to-fill subject areas** for students in a grade or grades  
78 not lower than the ninth grade for which the applicant's academic degree or professional  
79 experience qualifies ~~him or her~~ **the applicant**;

80 ~~(b)~~ **b.** Appropriate and relevant bachelor's degree or higher, occupational license, or  
81 industry-recognized credential;

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

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

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

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

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

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

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

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

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

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

122           (b) The career continuous professional certificate shall be continuous based upon  
123 verification of actual employment in an educational position as provided for in state board  
124 guidelines and completion of fifteen contact hours of professional development per year  
125 which may include hours spent in class in an appropriate college curriculum. Should the  
126 possessor of a valid career continuous professional certificate fail, in any given year, to meet  
127 the fifteen-hour professional development requirement, the possessor may, within two years,  
128 make up the missing hours. In order to make up for missing hours, the possessor shall first  
129 complete the fifteen-hour requirement for the current year and then may count hours in excess  
130 of the current year requirement as make-up hours. Should the possessor fail to make up the  
131 missing hours within two years, the certificate shall become inactive. In order to reactivate  
132 the certificate, the possessor shall complete twenty-four contact hours of professional  
133 development which may include hours spent in the classroom in an appropriate college  
134 curriculum within the six months prior to or after reactivating ~~[his or her]~~ **the possessor's**

135 certificate. The requirements of this paragraph shall be monitored and verified by the local  
136 school district which employs the holder of the career continuous professional certificate.

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

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

142 b. Possesses a master's degree; or

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

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

152 5. The state board shall, upon completion of a background check as prescribed in  
153 section 168.133, issue a professional certificate classification in the areas most closely  
154 aligned with an applicant's current areas of certification, commensurate with the years of  
155 teaching experience of the applicant, to any person who is hired to teach in a public school in  
156 this state and who possesses a valid teaching certificate from another state or certification  
157 under subdivision (4) of subsection 1 of this section, provided that the certificate holder shall  
158 annually complete the state board's requirements for such level of certification, and shall  
159 establish policies by which residents of states other than the state of Missouri may be assessed  
160 a fee for a certificate of license to teach in the public schools of Missouri. Such fee shall be in  
161 an amount sufficient to recover any or all costs associated with the issuing of a certificate of  
162 license to teach. The board shall promulgate rules to authorize the issuance of a provisional  
163 certificate of license, which shall be valid for three years and shall allow the holder to assume  
164 classroom duties pending the completion of a criminal background check under section  
165 168.133, for any applicant who:

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

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

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

170 (4) Otherwise qualifies under this section.

171           6. The state board may assess to holders of an initial professional certificate a fee, to  
172 be deposited into the excellence in education [~~revolving~~] fund established pursuant to section  
173 160.268, for the issuance of the career continuous professional certificate. However, such fee  
174 shall not exceed the combined costs of issuance and any criminal background check required  
175 as a condition of issuance. Applicants for the initial ABCTE certificate shall be responsible  
176 for any fees associated with the program leading to the issuance of the certificate, but nothing  
177 in this section shall prohibit a district from developing a policy that permits fee  
178 reimbursement.

179           7. Any member of the public school retirement system of Missouri who entered  
180 covered employment with ten or more years of educational experience in another state or  
181 states and held a certificate issued by another state and subsequently worked in a school  
182 district covered by the public school retirement system of Missouri for ten or more years who  
183 later became certificated in Missouri shall have that certificate dated back to [~~his or her~~] **the**  
184 **member's** original date of employment in a Missouri public school.

185           8. Within thirty days of receiving an application from a spouse of an active duty  
186 member of the Armed Forces of the United States who has been transferred or is scheduled to  
187 be transferred to the state of Missouri, or who has been transferred or is scheduled to be  
188 transferred to an adjacent state and is or will be domiciled in the state of Missouri, or has  
189 moved to the state of Missouri on a permanent change-of-station basis and has successfully  
190 completed the background check described under subsection 5 of this section and section  
191 168.133, the state board shall issue to such applicant a full certificate of license to teach,  
192 provided that the applicant has paid all necessary fees and has otherwise met all requirements  
193 to be issued such a certificate.

**168.036. 1. In addition to granting certificates of license to teach in public  
2 schools of the state under section 168.021, the state board of education shall grant  
3 substitute teacher certificates as provided in this section to any individual seeking to  
4 substitute teach in any public school in this state.**

5           **2. (1) The state board shall not grant a certificate of license to teach under this  
6 section to any individual who has not completed a background check as required under  
7 section 168.021.**

8           **(2) The state board may refuse to issue or renew, suspend, or revoke any  
9 certificate sought or issued under this section in the same manner and for the same  
10 reasons as under section 168.071.**

11           **3. The state board may grant a certificate under this section to any individual  
12 who has completed:**

13           **(1) At least thirty-six semester hours at an accredited institution of higher  
14 education; or**

15           **(2) The twenty-hour online training program required in this section and who**  
16 **possesses a high school diploma or the equivalent thereof.**

17           **4. The department of elementary and secondary education shall develop and**  
18 **maintain an online training program for individuals, which shall consist of twenty hours**  
19 **of training related to subjects appropriate for substitute teachers as determined by the**  
20 **department.**

21           **5. The state board may grant a certificate under this section to any highly**  
22 **qualified individual with expertise in a technical or business field or with experience in**  
23 **the Armed Forces of the United States who has completed the background check**  
24 **required in this section but does not meet any of the qualifications under subdivision (1)**  
25 **or (2) of subsection 3 of this section if the superintendent of the school district in which**  
26 **the individual seeks to substitute teach sponsors such individual and the school board of**  
27 **the school district in which the individual seeks to substitute teach votes to approve such**  
28 **individual to substitute teach.**

29           **6. (1) Notwithstanding any other provisions to contrary, beginning on the**  
30 **effective date of this section and ending on June 30, 2025, any person, who is retired and**  
31 **currently receiving a retirement allowance under sections 169.010 to 169.141 or sections**  
32 **169.600 to 169.715, other than for disability, may be employed to substitute teach on a**  
33 **part time or temporary substitute basis by an employer included in the retirement**  
34 **system without a discontinuance of the person's retirement allowance. Such a person**  
35 **shall not contribute to the retirement system, or to the public school retirement system**  
36 **established by sections 169.010 to 169.141 or to the public education employee**  
37 **retirement system established by sections 169.600 to 169.715, because of earnings during**  
38 **such period of employment.**

39           **(2) In addition to the conditions set forth in subdivision (1) of this subsection,**  
40 **any person retired and currently receiving a retirement allowance under sections**  
41 **169.010 to 169.141, other than for disability, who is employed by a third party or is**  
42 **performing work as an independent contractor may be employed to substitute teach on**  
43 **a part-time or temporary substitute basis, if such person is performing work for an**  
44 **employer included in the retirement system without a discontinuance of the person's**  
45 **retirement allowance.**

46           **(3) If a person is employed pursuant to this subsection on a regular, full-time**  
47 **basis, the person shall not be entitled to receive the person's retirement allowance for**  
48 **any month during which the person is so employed. The retirement system may require**  
49 **the employer, the third-party employer, the independent contractor, and the retiree**  
50 **subject to this subsection to provide documentation showing compliance with this**

51 subsection. If such documentation is not provided, the retirement system may deem the  
52 retiree to have exceeded the limitations provided in this subsection.

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

57 8. (1) An individual to whom the state board grants a certificate under this  
58 section may be a substitute teacher in a public school in the state if the school district  
59 agrees to employ the individual as a substitute teacher and such individual has  
60 completed a background check as required in subsection 10 of this section.

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

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

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

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

168.037. 1. The department of elementary and secondary education shall create  
2 and maintain a web-based survey for collecting anonymous information from substitute  
3 teachers in Missouri public schools. The survey will collect anonymous, nonbiased, real-  
4 time data that school districts, charter schools, and the state can access to study and  
5 improve the effectiveness of substitute teachers in supporting instruction and learning  
6 and to improve circumstances that may cause a shortage of available substitute  
7 teachers.



8           **2. (1) Each substitute teacher in a public school shall complete the survey**  
9 **described in subsection 1 of this section at the end of each day of teaching. The district**  
10 **or charter school in which the substitute teacher is teaching for that day shall provide,**  
11 **by email, a web link to the survey. If needed, the district or charter school shall also**  
12 **provide brief access to a computer or other connected device sufficient to allow the**  
13 **survey to be completed. The survey can also be completed on-site by the substitute**  
14 **teacher using a personal device.**

15           **(2) The survey described in subsection 1 of this section shall include at a**  
16 **minimum, questions regarding: the age and level of education of the substitute teacher,**  
17 **the date of teaching, the district and school, the grade or grades taught, information**  
18 **about support and interaction with school staff, any student health or safety issues**  
19 **experienced, and rate of substitute teacher pay.**

20           **3. Districts and charter schools shall annually provide information to the**  
21 **department of elementary and secondary education regarding: use of third-party**  
22 **employment agencies for substitute teachers, daily rate of substitute teacher pay,**  
23 **employment of full-time and part-time substitute teachers, substitute teacher**  
24 **recruitment efforts, the substitute teacher interview process, and use of current**  
25 **school staff as substitute teachers during other assigned time.**

168.500. 1. For the purpose of providing career pay, which shall be a salary  
2 supplement, for public school teachers, which for the purpose of sections 168.500 to 168.515  
3 shall include classroom teachers, librarians, school counselors and certificated teachers who  
4 hold positions as school psychological examiners, parents as teachers educators, school  
5 psychologists, special education diagnosticians and speech pathologists, and are on the  
6 district salary schedule, there is hereby created and established a career advancement program  
7 which shall be known as the "Missouri Career Development and Teacher Excellence Plan",  
8 hereinafter known as the "career plan or program". Participation by local school districts in  
9 the career advancement program established under this section shall be voluntary. The career  
10 advancement program is a matching fund program. The general assembly may make an  
11 annual appropriation to the excellence in education fund established under section 160.268  
12 for the purpose of providing the state's portion for the career advancement program. The  
13 "Career Ladder Forward Funding Fund" is hereby established in the state treasury. Beginning  
14 with fiscal year 1998 and until the career ladder forward funding fund is terminated pursuant  
15 to this subsection, the general assembly may appropriate funds to the career ladder forward  
16 funding fund. Notwithstanding the provisions of section 33.080 to the contrary, moneys in  
17 the fund shall not be transferred to the credit of the general revenue fund at the end of the  
18 biennium. All interest or other gain received from investment of moneys in the fund shall be  
19 credited to the fund. All funds deposited in the fund shall be maintained in the fund until such

20 time as the balance in the fund at the end of the fiscal year is equal to or greater than the  
21 appropriation for the career ladder program for the following year, at which time all such  
22 revenues shall be used to fund, in advance, the career ladder program for such following year  
23 and the career ladder forward funding fund shall thereafter be terminated.

24 2. The department of elementary and secondary education, at the direction of the  
25 commissioner of education, shall study and develop model career plans which shall be made  
26 available to the local school districts. These state model career plans shall:

27 (1) Contain three steps or stages of career advancement;

28 (2) Contain a detailed procedure for the admission of teachers to the career program;

29 (3) Contain specific criteria for career step qualifications and attainment. These  
30 criteria shall clearly describe the minimum number of professional responsibilities required of  
31 the teacher at each stage of the plan and shall include reference to classroom performance  
32 evaluations performed pursuant to section 168.128. **The criteria may include, but shall not**  
33 **be limited to, teacher externships as provided in section 168.025;**

34 (4) Be consistent with the teacher certification process recommended by the Missouri  
35 advisory council of certification for educators and adopted by the department of elementary  
36 and secondary education;

37 (5) Provide that public school teachers in Missouri shall become eligible to apply for  
38 admission to the career plans adopted under sections 168.500 to 168.515 after [~~five~~] **two**  
39 years of public school teaching in Missouri. All teachers seeking admission to any career  
40 plan shall, as a minimum, meet the requirements necessary to obtain the first renewable  
41 professional certificate as provided in section 168.021;

42 (6) Provide procedures for appealing decisions made under career plans established  
43 under sections 168.500 to 168.515.

44 3. **School district career plans shall recognize additional responsibilities and**  
45 **volunteer efforts by teachers in formulating criteria for career ladder admission and**  
46 **stage achievement. Such additional responsibilities and volunteer efforts shall be**  
47 **required to occur outside of compensated hours and may include, but shall not be**  
48 **limited to:**

49 (1) **Serving as a coach, supervisor, or organizer for any extracurricular activity**  
50 **for which the teacher does not already receive additional compensation;**

51 (2) **Serving as a mentor for students, whether in a formal or informal capacity;**

52 (3) **Receiving additional teacher training or certification outside of that offered**  
53 **by the school district;**

54 (4) **Serving as a tutor or providing additional learning opportunities to students;**  
55 **and**

56           **(5) Assisting students with postsecondary education preparation including, but**  
57 **not limited to, teaching an ACT or SAT preparation course or assisting students with**  
58 **completing college or career school admission or financial assistance applications.**

59           4. The commissioner of education shall cause the department of elementary and  
60 secondary education to establish guidelines for all career plans established under this section,  
61 and criteria that must be met by any school district which seeks funding for its career plan.

62           ~~[4-]~~ 5. A participating local school district may have the option of implementing a  
63 career plan developed by the department of elementary and secondary education or a local  
64 plan which has been developed with advice from teachers employed by the district and which  
65 has met with the approval of the department of elementary and secondary education. In  
66 approving local career plans, the department of elementary and secondary education may  
67 consider provisions in the plan of the local district for recognition of teacher mobility from  
68 one district to another within this state.

69           ~~[5-]~~ 6. The career plans of local school districts shall not discriminate on the basis of  
70 race, sex, religion, national origin, color, creed, or age. Participation in the career plan of a  
71 local school district is optional, and any teacher who declines to participate shall not be  
72 penalized in any way.

73           ~~[6-]~~ 7. In order to receive funds under this section, a school district which is not  
74 subject to section 162.920 must have a total levy for operating purposes which is in excess of  
75 the amount allowed in Section 11(b) of Article X of the Missouri Constitution; and a school  
76 district which is subject to section 162.920 must have a total levy for operating purposes  
77 which is equal to or in excess of twenty-five cents on each hundred dollars of assessed  
78 valuation.

79           ~~[7-]~~ 8. The commissioner of education shall cause the department of elementary and  
80 secondary education to regard a speech pathologist who holds both a valid certificate of  
81 license to teach and a certificate of clinical competence to have fulfilled the standards  
82 required to be placed on stage III of the career program, provided that such speech pathologist  
83 has been employed by a public school in Missouri for at least ~~[five]~~ **two** years and is approved  
84 for placement at such stage III by the local school district.

85           ~~[8-]~~ 9. Beginning in fiscal year 2012, the state portion of career ladder payments shall  
86 only be made available to local school districts if the general assembly makes an  
87 appropriation for such program. Payments authorized under sections 168.500 to 168.515  
88 shall only be made available in a year for which a state appropriation is made. Any state  
89 appropriation shall be made prospectively in relation to the year in which work under the  
90 program is performed.

91           [9-] 10. Nothing in this section shall be construed to prohibit a local school district  
92 from funding the program for its teachers for work performed in years for which no state  
93 appropriation is made available.

          168.515. 1. Each teacher selected to participate in a career plan established under  
2 sections 168.500 to 168.515, who meets the requirements of such plan, may receive a salary  
3 supplement, the state's share of which shall be distributed under section 163.031, equal to the  
4 following amounts applied to the career ladder entitlement of section 163.031:

5           (1) Career stage I teachers may receive up to an additional one thousand five hundred  
6 dollars per school year;

7           (2) Career stage II teachers may receive up to an additional three thousand dollars per  
8 school year;

9           (3) Career stage III teachers may receive up to an additional five thousand dollars per  
10 school year. All teachers within each stage within the same school district shall receive equal  
11 salary supplements.

12           2. The state may make payments pursuant to section 163.031 to the local school  
13 district for the purpose of providing funding to the local school district for the payment of any  
14 salary supplements provided for in this section, subject to the availability of funds as  
15 appropriated each year and distributed on a matching basis where the percentage of state  
16 funding shall be ~~forty~~ **sixty** percent and the percentage of local funding shall be ~~sixty~~ **forty**  
17 percent.

18           3. Not less than every fourth year, beginning with calendar year 1988, the general  
19 assembly, through the joint committee established under section 160.254, shall review the  
20 amount of the career pay provided for in this section to determine if any increases are  
21 necessary to reflect the increases in the cost of living which have occurred since the salary  
22 supplements were last reviewed or set.

23           4. To participate in the salary supplement program established under this section, a  
24 school district may submit to the voters of the district a proposition to increase taxes for this  
25 purpose. If a school district's current tax rate ceiling is at or above the rate from which an  
26 increase would require a two-thirds majority, the school board may submit to the voters of the  
27 district a proposition to reduce or eliminate the amount of the levy reduction resulting from  
28 section 164.013. If a majority of the voters voting thereon vote in favor of the proposition,  
29 the board may certify that seventy-five percent of the revenue generated from this source shall  
30 be used to implement the salary supplement program established under this section.

31           5. In no case shall a school district use state funds received under this section nor  
32 local revenue generated from a tax established under subsection 4 of this section to comply  
33 with the minimum salary requirements for teachers established pursuant to section 163.172.

169.560. 1. Any person retired and currently receiving a retirement allowance pursuant to sections 169.010 to 169.141, other than for disability, may be employed in any capacity for an employer included in the retirement system created by those sections on either a part-time or temporary-substitute basis not to exceed a total of five hundred fifty hours in any one school year, and through such employment may earn up to fifty percent of the annual compensation payable under the employer's salary schedule for the position or positions filled by the retiree, given such person's level of experience and education, without a discontinuance of the person's retirement allowance. If the employer does not utilize a salary schedule, or if the position in question is not subject to the employer's salary schedule, a retiree employed in accordance with the provisions of this subsection may earn up to fifty percent of the annual compensation paid to the person or persons who last held such position or positions. If the position or positions did not previously exist, the compensation limit shall be determined in accordance with rules duly adopted by the board of trustees of the retirement system; provided that, it shall not exceed fifty percent of the annual compensation payable for the position by the employer that is most comparable to the position filled by the retiree. In any case where a retiree fills more than one position during the school year, the fifty-percent limit on permitted earning shall be based solely on the annual compensation of the highest paid position occupied by the retiree for at least one-fifth of the total hours worked during the year. Such a person shall not contribute to the retirement system or to the public education employee retirement system established by sections 169.600 to 169.715 because of earnings during such period of employment. If such a person is employed in any capacity by such an employer in excess of the limitations set forth in this subsection, the person shall not be eligible to receive the person's retirement allowance for any month during which the person is so employed. In addition, such person shall contribute to the retirement system if the person satisfies the retirement system's membership eligibility requirements. In addition to the conditions set forth above, this subsection shall apply to any person retired and currently receiving a retirement allowance under sections 169.010 to 169.141, other than for disability, who is employed by a third party or is performing work as an independent contractor, if such person is performing work for an employer included in the retirement system as a temporary or long-term substitute teacher or in any other position that would normally require that person to be duly certificated under the laws governing the certification of teachers in Missouri if such person was employed by the district. The retirement system may require the employer, the third-party employer, the independent contractor, and the retiree subject to this subsection to provide documentation showing compliance with this subsection. If such documentation is not provided, the retirement system may deem the retiree to have exceeded the limitations provided in this subsection.

37           2. Notwithstanding any other provision of this section, any person retired and  
38 currently receiving a retirement allowance in accordance with sections 169.010 to 169.141,  
39 other than for disability, may be employed by an employer included in the retirement system  
40 created by those sections in a position that does not normally require a person employed in  
41 that position to be duly certificated under the laws governing the certification of teachers in  
42 Missouri, and through such employment may earn up to ~~[sixty percent of the minimum~~  
43 ~~teacher's salary as set forth in section 163.172]~~ **the annual earnings exemption amount**  
44 **applicable to a Social Security recipient before the calendar year of attainment of full**  
45 **retirement age under 20 CFR 404.430**, without a discontinuance of the person's retirement  
46 allowance **from the retirement system. The Social Security annual earnings exemption**  
47 **amount applied shall be the exemption amount in effect for the calendar year in which**  
48 **the school year begins.** Such person shall not contribute to the retirement system or to the  
49 public education employee retirement system established by sections 169.600 to 169.715  
50 because of earnings during such period of employment, and such person shall not earn  
51 membership service for such employment. The employer's contribution rate shall be paid by  
52 the hiring employer into the public education employee retirement system established by  
53 sections 169.600 to 169.715. If such a person is employed in any capacity by an employer in  
54 excess of the limitations set forth in this subsection, the person shall not be eligible to receive  
55 the person's retirement allowance for any month during which the person is so employed. In  
56 addition, such person shall become a member of and contribute to any retirement system  
57 described in this subsection if the person satisfies the retirement system's membership  
58 eligibility requirements. The provisions of this subsection shall not apply to any person  
59 retired and currently receiving a retirement allowance in accordance with sections 169.010 to  
60 169.141 employed by a public community college **or employer under subsection 4 of**  
61 **section 169.130.**

169.596. 1. Notwithstanding any other provision of this chapter to the contrary, a  
2 retired certificated teacher receiving a retirement benefit from the retirement system  
3 established pursuant to sections 169.010 to 169.141 may, without losing his or her retirement  
4 benefit, teach full time for up to ~~[two]~~ **four** years for a school district covered by such  
5 retirement system; provided that the school district has a shortage of certified teachers, as  
6 determined by the school district, and provided that no such retired certificated teacher shall  
7 be employed as a superintendent. The total number of such retired certificated teachers shall  
8 not exceed, at any one time, the lesser of ten percent of the total teacher staff for that school  
9 district, or five certificated teachers.

10           2. Notwithstanding any other provision of this chapter to the contrary, a person  
11 receiving a retirement benefit from the retirement system established pursuant to sections  
12 169.600 to 169.715 may, without losing his or her retirement benefit, be employed full time

13 for up to ~~two~~ **four** years for a school district covered by such retirement system; provided  
 14 that the school district has a shortage of noncertificated employees, as determined by the  
 15 school district. The total number of such retired noncertificated employees shall not exceed,  
 16 at any one time, the lesser of ten percent of the total noncertificated staff for that school  
 17 district, or five employees.

18 3. The employer's contribution rate shall be paid by the hiring school district.

19 4. In order to hire teachers and noncertificated employees pursuant to the provisions  
 20 of this section, the school district shall:

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

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

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

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

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

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

31 5. Any person hired pursuant to this section shall be included in the State Directory of  
 32 New Hires for purposes of income and eligibility verification pursuant to 42 U.S.C. Section  
 33 1320b-7.

170.014. 1. This section shall be known as the "Reading Instruction Act" and is  
 2 enacted to ensure that all public schools **including charter schools** establish reading  
 3 programs in kindergarten through grade ~~three~~ **five** based in scientific research. **"Evidence-**  
 4 **based reading instruction"** includes practices that have been proven effective through  
 5 evaluation of the outcomes for large numbers of students and are highly likely to be  
 6 effective in improving reading if implemented with fidelity. Such programs shall include  
 7 the essential components of phonemic awareness, phonics, fluency, vocabulary, and  
 8 comprehension, and all new teachers who teach reading in kindergarten through grade  
 9 three shall receive adequate training in these areas.

10 2. ~~[The program described in subsection 1 of this section may include "explicit~~  
 11 ~~systematic phonics", which, for the purposes of this section, shall mean the methodology of~~  
 12 ~~pronouncing and reading words by learning the phonetic sound association of individual~~  
 13 ~~letters, letter groups, and syllables, and the principles governing these associations.~~

14 ~~3.]~~ Every public school in the state shall offer a reading program as described in  
 15 subsection 1 of this section for kindergarten through grade ~~three~~ **five**.

170.018. 1. (1) For purposes of this section, "computer science course" means a course in which students study computers and algorithmic processes, including their principles, hardware and software designs, implementation, and impact on society. **The term shall include, but not be limited to, a stand-alone course at any elementary, middle, or high school or a course at any elementary or middle school that embeds computer science content within other subjects.**

(2) The department of elementary and secondary education shall, before July 1, 2019, develop a high school graduation policy that allows a student to fulfill one unit of academic credit with a district-approved computer science course meeting the standards of subsection 2 of this section for any mathematics, science, or practical arts unit required for high school graduation. The policy shall require that all students have either taken all courses that require end-of-course examinations for math and science or are on track to take all courses that require end-of-course examinations for math and science under the Missouri school improvement program in order to receive credit toward high school graduation under this subsection.

(3) A school district shall communicate to students electing to use a computer science course for a mathematics unit that some institutions of higher education may require four units of academic credit in mathematics for college admission. The parent, guardian, or legal custodian of each student who chooses to take a computer science course to fulfill a unit of academic credit in mathematics shall sign and submit to the school district a document containing a statement acknowledging that taking a computer science course to fulfill a unit of academic credit in mathematics may have an adverse effect on college admission decisions.

(4) The department of elementary and secondary education and the department of higher education and workforce development shall cooperate in developing and implementing academic requirements for computer science courses offered in any grade or grades not lower than the ninth nor higher than the twelfth grade.

2. (1) The department of elementary and secondary education shall convene a work group to develop and recommend rigorous academic performance standards relating to computer science for students in kindergarten and in each grade not higher than the twelfth grade. The work group shall include, but not be limited to, educators providing instruction in kindergarten or in any grade not higher than the twelfth grade and representatives from the department of elementary and secondary education, the department of higher education and workforce development, business and industry, and institutions of higher education. The department of elementary and secondary education shall develop written curriculum frameworks relating to computer science that may be used by school districts. The requirements of section 160.514 shall not apply to this section.



38 (2) The state board of education shall adopt and implement academic performance  
39 standards relating to computer science beginning in the 2019-20 school year.

40 3. Before July 1, 2019, the department of elementary and secondary education shall  
41 develop a procedure by which any teacher who holds a certificate of license to teach under  
42 section 168.021 and demonstrates sufficient content knowledge of computer science shall  
43 receive a special endorsement on ~~his or her~~ **the teacher's** license signifying ~~his or her~~ **the**  
44 **teacher's** specialized knowledge in computer science.

45 4. (1) For purposes of this subsection, "eligible entity" means:

46 (a) A local educational agency, or a consortium of local educational agencies, in the  
47 state, including charter schools that have declared themselves local educational agencies;

48 (b) An institution of higher education in the state; or

49 (c) A nonprofit or private provider of nationally recognized and high-quality  
50 computer science professional development, as determined by the department of elementary  
51 and secondary education.

52 (2) There is hereby created in the state treasury the "Computer Science Education  
53 Fund". The fund shall consist of all moneys that may be appropriated to it by the general  
54 assembly and any gifts, contributions, grants, or bequests received from private or other  
55 sources for the purpose of providing teacher professional development programs relating to  
56 computer science. The state treasurer shall be custodian of the fund. In accordance with  
57 sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be  
58 a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the  
59 administration of grants to eligible entities as described in this section. Notwithstanding the  
60 provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of  
61 the biennium shall not revert to the credit of the general revenue fund. The state treasurer  
62 shall invest moneys in the fund in the same manner as other funds are invested. Any interest  
63 and moneys earned on such investments shall be credited to the fund.

64 (3) The state board of education shall award grants from the computer science  
65 education fund to eligible entities for the purpose of providing teacher professional  
66 development programs relating to computer science. An eligible entity wishing to receive  
67 such a grant shall submit an application to the department of elementary and secondary  
68 education addressing how the entity plans to:

69 (a) Reach new and existing teachers with little computer science background;

70 (b) Use effective practices for professional development;

71 (c) Focus the training on the conceptual foundations of computer science;

72 (d) Reach and support historically underrepresented students in computer science;

73 (e) Provide teachers with concrete experience with hands-on, inquiry-based practices;

74 and

75 (f) Accommodate the particular needs of students and teachers in each district and  
76 school.

77 5. (1) For all school years beginning on or after July 1, 2023, each public high  
78 school and charter high school shall offer at least one computer science course in an in-  
79 person setting or as a virtual or distance course option.

80 (2) Any computer science course or instruction offered under this subsection  
81 shall:

82 (a) Be of high quality as defined by the state board of education;

83 (b) Meet or exceed the computer science performance standards developed and  
84 adopted by the department of elementary and secondary education under this section;  
85 and

86 (c) For any computer science course offered by a public high school or charter  
87 high school, be offered in such school's course catalog.

88 (3) On or before June thirtieth of each school year, each school district shall  
89 submit to the department of elementary and secondary education a report for the  
90 current school year which shall include, but not be limited to:

91 (a) The names and course codes of computer science courses offered in each  
92 school in the district with a course description and which computer science performance  
93 standards are covered, to the extent such information is available;

94 (b) The number and percentage of students who enrolled in each computer  
95 science course, listed by the categories in subparagraphs a. to f. of this paragraph. If a  
96 category contains one to five students or contains a quantity of students that would  
97 allow the quantity of another category that contains five or fewer to be deduced, the  
98 number shall be replaced with a symbol:

99 a. Sex;

100 b. Race and ethnicity;

101 c. Special education status including, but not limited to, students receiving  
102 services under the federal Individuals with Disabilities Education Act (IDEA) (20 U.S.C.  
103 Section 1400 et seq., as amended) or Section 504 of the federal Rehabilitation Act of  
104 1973 (29 U.S.C. Section 794), as amended;

105 d. English language learner status;

106 e. Eligibility for free or reduced price meals; and

107 f. Grade level; and

108 (c) The number of computer science instructors at each school, listed by the  
109 following categories:

110 a. Applicable certifications;

111 b. Sex;

112 c. Race and ethnicity; and

113 d. Highest academic degree.

114 (4) On or before September thirtieth of each school year, the department of  
115 elementary and secondary education shall post the following on the department's  
116 website:

117 (a) Data received under paragraphs (a) and (b) of subdivision (3) of this  
118 subsection, disaggregated by school and aggregated statewide; and

119 (b) Data received under paragraph (c) of subdivision (3) of this subsection,  
120 aggregated statewide.

121 (5) On or before June thirtieth of each school year, the department of elementary  
122 and secondary education shall publish a list of computer science course codes and names  
123 with a course description and an indication of which courses meet or exceed the  
124 department of elementary and secondary education's computer science performance  
125 standards.

126 6. The department of elementary and secondary education shall appoint a  
127 computer science supervisor. The computer science supervisor shall be responsible for  
128 implementing the provisions of this section.

129 7. For all school years beginning on or after July 1, 2023, a computer science  
130 course successfully completed and counted toward state graduation requirements shall  
131 be equivalent to one science course or one practical arts credit for the purpose of  
132 satisfying any admission requirements of any public institution of higher education in  
133 this state.

134 8. The department of elementary and secondary education shall promulgate rules to  
135 implement the provisions of this section. Any rule or portion of a rule, as that term is defined  
136 in section 536.010, that is created under the authority delegated in this section shall become  
137 effective only if it complies with and is subject to all of the provisions of chapter 536 and, if  
138 applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the  
139 powers vested with the general assembly pursuant to chapter 536 to review, to delay the  
140 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then  
141 the grant of rulemaking authority and any rule proposed or adopted after December 18, 2018,  
142 shall be invalid and void.

170.036. 1. There is hereby established the "Computer Science Education Task  
2 Force" within the department of elementary and secondary education.

3 2. The task force shall consist of the following members:

4 (1) Two members of the house of representatives, with one member to be  
5 appointed by the speaker of the house of representatives and one member to be  
6 appointed by the minority leader of the house of representatives;

7           **(2) Two members of the senate, with one member to be appointed by the**  
8 **president pro tempore of the senate and one member to be appointed by the minority**  
9 **leader of the senate;**

10           **(3) The governor or the governor's designee;**

11           **(4) The commissioner of education or the commissioner's designee;**

12           **(5) The commissioner of higher education or the commissioner's designee; and**

13           **(6) Six members who represent the interests of each of the following groups, to**  
14 **be appointed by the commissioner of education:**

15           **(a) The state board of education;**

16           **(b) Private industry in this state with interest in computer science;**

17           **(c) Nonprofit organizations;**

18           **(d) An association of school superintendents;**

19           **(e) A statewide association representing computer science teachers; and**

20           **(f) A secondary teacher leader from career and technical education representing**  
21 **computer science teachers.**

22           **3. The mission of the computer science education task force shall be to develop a**  
23 **state strategic plan for expanding a statewide computer science education program,**  
24 **including the following:**

25           **(1) A statement of purpose that describes the objectives or goals the state board**  
26 **of education will accomplish by implementing a computer science education program,**  
27 **the strategies by which those goals will be achieved, and a timeline for achieving those**  
28 **goals;**

29           **(2) A summary of the current state landscape for K-12 computer science**  
30 **education, including demographic reporting of students taking these courses;**

31           **(3) A plan for expanding computer science education opportunities to every**  
32 **school in the state within five years and increasing the representation of students from**  
33 **traditionally underserved groups, in computer science including female students,**  
34 **students from historically underrepresented racial and ethnic groups, students with**  
35 **disabilities, English-language learner students, students who qualify for free and**  
36 **reduced-price meals, and rural students;**

37           **(4) A plan for integrating computer science instruction in kindergarten through**  
38 **eighth grades around the basics of computer science and computational thinking and**  
39 **exploratory computer science;**

40           **(5) A plan for the development of rigorous standards and curriculum guidelines**  
41 **for K-12 computer science, including ways to incorporate computer science into existing**  
42 **standards at the elementary level, as appropriate;**

43           **(6) A plan for ensuring teachers are well-prepared to begin teaching computer**  
44 **science, including defining high-quality professional learning for in-service teachers and**  
45 **strategies for pre-service teacher preparation;**

46           **(7) An ongoing evaluation process that is overseen by the state board of**  
47 **education;**

48           **(8) Proposed rules that incorporate the principles of the master plan into the**  
49 **state's public education system as a whole; and**

50           **(9) A plan to ensure long-term sustainability for computer science education.**

51           **4. The speaker of the house of representatives shall designate the chair of the**  
52 **task force, and the president pro tempore of the senate shall designate the vice chair of**  
53 **the task force.**

54           **5. Members of the task force shall serve without compensation, but the members**  
55 **and any staff assigned to the task force shall receive reimbursement for actual and**  
56 **necessary expenses incurred in attending meetings of the task force or any**  
57 **subcommittee thereof. All task force members shall be subject to the same conflict of**  
58 **interest provisions in chapter 105 that are enforced by the Missouri ethics commission in**  
59 **the same manner that elected or appointed officials and employees are subject to such**  
60 **provisions.**

61           **6. The task force shall hold its first meeting within one month from the effective**  
62 **date of this section.**

63           **7. Before June 30, 2023, the task force shall present a summary of its activities**  
64 **and any recommendations for legislation to the general assembly.**

65           **8. The computer science education task force shall dissolve on June 30, 2024.**

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

2           **(1) "Academic skill intake assessment", a criterion-referenced assessment of**  
3 **numeracy and literacy skills with high reliability and validity as determined by third-**  
4 **party research;**

5           **(2) "Accredited", holding an active accreditation from one of the seven United**  
6 **States regional accreditors including, but not limited to, the Middle States Commission**  
7 **on Higher Education, the New England Association of Schools and Colleges, the Higher**  
8 **Learning Commission, the Northwest Commission on Colleges and Universities, the**  
9 **Southern Association of Colleges and Schools, the Western Association of Schools and**  
10 **Colleges, and the Accrediting Commission for Community and Junior Colleges, as well**  
11 **as any successor entities or consolidations of the above including, but not limited to,**  
12 **AdvancEd or Cognia;**

13           **(3) "Adult dropout recovery services", includes, but is not limited to, sourcing,**  
14 **recruitment, and engagement of eligible students, learning plan development, active**

15 **teaching, and proactive coaching and mentoring, resulting in an accredited high school**  
16 **diploma;**

17 **(4) "Approved program provider", a public, not-for-profit, or other entity that**  
18 **meets the requirements of subdivision (2) of subsection 3 of this section or any**  
19 **consortium of such entities;**

20 **(5) "Average cost per graduate", the amount of the total program funding**  
21 **reimbursed to an approved program provider for each cohort during the period of time**  
22 **from the beginning of the same cohort through the subsequent twelve months after the**  
23 **close of the same cohort, divided by the total number of students who graduated from**  
24 **the same cohort within twelve months after the close of the same cohort;**

25 **(6) "Career pathways coursework", one or more courses that align with the skill**  
26 **needs of industries in the economy of the state or region that help an individual enter or**  
27 **advance within a specific occupation or occupational cluster;**

28 **(7) "Career placement services", services designed to assist students in obtaining**  
29 **employment, such as career interest self-assessments and job search skills such as**  
30 **resume development and mock interviews;**

31 **(8) "Coaching", proactive communication between the approved program**  
32 **provider and the student related to the student's pace and progress through the**  
33 **student's learning plan;**

34 **(9) "Cohort", students who enter the program between July first and June**  
35 **thirtieth of each program year;**

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

37 **(11) "Employability skills certification", a certificate earned by demonstrating**  
38 **professional nontechnical skills through assessment, portfolio, or observation;**

39 **(12) "Graduate", a student who has successfully completed all of the state and**  
40 **approved program provider requirements in order to obtain a high school diploma;**

41 **(13) "Graduation rate", the total number of graduates from a cohort who**  
42 **graduated within twelve months after the close of the cohort divided by the total**  
43 **number of students included in the same cohort;**

44 **(14) "Graduation requirements", course and credit requirements for the**  
45 **approved program provider's accredited high school diploma;**

46 **(15) "High school diploma", a diploma issued by an accredited institution;**

47 **(16) "Industry-recognized credential", an education-related credential or work-**  
48 **related credential that verifies an individual's qualification or competence issued by a**  
49 **third party with the relevant authority to issue such credential;**

50 (17) "Learning plan", a documented plan for courses or credits needed for each  
51 individual in order to complete program and approved program provider graduation  
52 requirements;

53 (18) "Mentoring", a direct relationship between a coach and a student to  
54 facilitate the completion of the student's learning plan designed to prepare the student  
55 to succeed in the program and the student's future endeavors;

56 (19) "Milestones", objective measures of progress for which payment is made to  
57 an approved program provider under this section such as earned units of high school  
58 credit, attainment of an employability skills certificate, attainment of an industry-  
59 recognized credential, attainment of a technical skills assessment, and attainment of an  
60 accredited high school diploma;

61 (20) "Program", the workforce diploma program established in this section;

62 (21) "Request for qualifications", a request for interested potential program  
63 providers to submit evidence that they meet the qualifications established in subsection  
64 3 of this section;

65 (22) "Stackable credential", a third party credential that is part of a sequence of  
66 credentials that can be accumulated over time to build up an individual's qualifications  
67 to advance along a career pathway;

68 (23) "Student", a participant in the program established in this section who is  
69 twenty-one years of age or older, who is a resident of Missouri, and who has not yet  
70 earned a high school diploma;

71 (24) "Technical skills assessment", a criterion-referenced assessment of an  
72 individual's skills required for an entry-level career or additional training in a technical  
73 field;

74 (25) "Transcript evaluation", a documented summary of credits earned in  
75 previous public or private accredited high schools compared with the program and  
76 approved program provider graduation requirements;

77 (26) "Unit of high school credit", credit awarded based on a student's  
78 demonstration that the student has successfully met the content expectations for the  
79 credit area as defined by subject area standards, expectations, or guidelines.

80 2. There is hereby established the "Workforce Diploma Program" within the  
81 department of elementary and secondary education to assist students with obtaining a  
82 high school diploma and developing employability and career technical skills. The  
83 program may be delivered in campus-based, blended, or online modalities.

84 3. (1) Before September 1, 2022, and annually thereafter, the department shall  
85 issue a request for qualifications for interested program providers to become approved  
86 program providers and participate in the program.

87           **(2) Each approved program provider shall meet all of the following**  
88 **qualifications:**

89           **(a) Be an accredited high school diploma-granting entity;**

90           **(b) Have a minimum of two years of experience providing adult dropout**  
91 **recovery services;**

92           **(c) Provide academic skill intake assessments and transcript evaluations to each**  
93 **student. Such academic skill intake assessments may be administered in person or**  
94 **online;**

95           **(d) Develop a learning plan for each student that integrates graduation**  
96 **requirements and career goals;**

97           **(e) Provide a course catalog that includes all courses necessary to meet**  
98 **graduation requirements;**

99           **(f) Offer remediation opportunities in literacy and numeracy, as applicable;**

100           **(g) Offer employability skills certification, as applicable;**

101           **(h) Offer career pathways coursework, as applicable;**

102           **(i) Ability to provide preparation for industry-recognized credentials or**  
103 **stackable credentials, a technical skills assessment, or a combination thereof; and**

104           **(j) Offer career placement services, as applicable.**

105           **(3) Upon confirmation by the department that an interested program provider**  
106 **meets all of the qualifications listed in subdivision (2) of this subsection, an interested**  
107 **program provider shall become an approved program provider.**

108           **4. (1) The department shall announce the approved program providers before**  
109 **October sixteenth annually, with authorization for the approved program providers to**  
110 **begin enrolling students before November fifteenth annually.**

111           **(2) Approved program providers shall maintain approval without reapplying**  
112 **annually if the approved program provider has not been removed from the approved**  
113 **program provider list under this section.**

114           **5. All approved program providers shall comply with requirements as provided**  
115 **by the department to ensure:**

116           **(1) An accurate accounting of a student's accumulated credits toward a high**  
117 **school diploma;**

118           **(2) An accurate accounting of credits necessary to complete a high school**  
119 **diploma; and**

120           **(3) The provision of coursework aligned to the academic performance standards**  
121 **of the state.**



122           **6. (1) Except as provided in subdivision (2) of this subsection, the department**  
123 **shall pay an amount as set by the department to approved program providers for the**  
124 **following milestones provided by the approved program provider:**

125           **(a) Completion of each half unit of high school credit;**

126           **(b) Attainment of an employability skills certification;**

127           **(c) Attainment of an industry-recognized credential, technical skills assessment,**  
128 **or stackable credential requiring no more than fifty hours of training;**

129           **(d) Attainment of an industry-recognized credential or stackable credential**  
130 **requiring at least fifty-one but no more than one hundred hours of training;**

131           **(e) Attainment of an industry-recognized credential or stackable credential**  
132 **requiring more than one hundred hours of training; and**

133           **(f) Attainment of an accredited high school diploma.**

134           **(2) No approved program provider shall receive funding for a student under this**  
135 **section if the approved program provider receives federal or state funding or private**  
136 **tuition for that student. No approved program provider shall charge student fees of any**  
137 **kind including, but not limited to, textbook fees, tuition fees, lab fees, or participation**  
138 **fees unless the student chooses to obtain additional education offered by the approved**  
139 **program provider that is not included in the state-funded program.**

140           **(3) Payments made under this subsection shall be subject to an appropriation**  
141 **made to the department for such purposes.**

142           **7. (1) Approved program providers shall submit monthly invoices to the**  
143 **department before the eleventh calendar day of each month for milestones met in the**  
144 **previous calendar month.**

145           **(2) The department shall pay approved program providers in the order in which**  
146 **invoices are submitted until all available funds are exhausted.**

147           **(3) The department shall provide a written update to approved program**  
148 **providers by the last calendar day of each month. The update shall include the**  
149 **aggregate total dollars that have been paid to approved program providers to date and**  
150 **the estimated number of enrollments still available for the program year.**

151           **8. Before July sixteenth of each year, each provider shall report the following**  
152 **metrics to the department for each individual cohort, on a cohort-by-cohort basis:**

153           **(1) The total number of students who have been funded through the program;**

154           **(2) The total number of credits earned;**

155           **(3) The total number of employability skills certifications issued;**

156           **(4) The total number of industry-recognized credentials, stackable credentials,**  
157 **and technical skills assessments earned for each tier of funding;**

158           **(5) The total number of graduates;**

159           **(6) The average cost per graduate once the stipulated time to make such a**  
160 **calculation has passed; and**

161           **(7) The graduation rate once the stipulated time to make such a calculation has**  
162 **passed.**

163           **9. (1) Before September sixteenth of each year, each approved program**  
164 **provider shall conduct and submit to the department the aggregate results of a survey of**  
165 **each individual cohort, on a cohort-by-cohort basis, who graduated from the program of**  
166 **the approved program provider under this section. The survey shall be conducted in the**  
167 **year after the year in which the individuals graduate and the next four consecutive**  
168 **years.**

169           **(2) The survey shall include at least the following data collection elements for**  
170 **each year the survey is conducted:**

171           **(a) The individual's employment status, including whether the individual is**  
172 **employed full time or part time;**

173           **(b) The individual's hourly wages;**

174           **(c) The individual's access to employer-sponsored health care; and**

175           **(d) The individual's postsecondary enrollment status, including whether the**  
176 **individual has completed a postsecondary certificate or degree program.**

177           **10. (1) Beginning at the end of the second fiscal year of the program, the**  
178 **department shall review data from each approved program provider to ensure that each**  
179 **is achieving minimum program performance standards including, but not limited to:**

180           **(a) A minimum fifty percent average graduation rate per cohort; and**

181           **(b) An average cost per graduate per cohort of seven thousand dollars or less.**

182           **(2) Any approved program provider that fails to meet the minimum program**  
183 **performance standards described in subdivision (1) of this subsection shall be placed on**  
184 **probationary status for the remainder of the fiscal year by the department.**

185           **(3) Any approved program provider that fails to meet the minimum program**  
186 **performance standards described in subdivision (1) of this subsection for two**  
187 **consecutive years shall be removed from the approved program provider list by the**  
188 **department.**

189           **11. (1) No approved program provider shall discriminate against a student on**  
190 **the basis of race, color, religion, national origin, ancestry, sex, sexuality, gender, or age.**

191           **(2) If an approved program provider determines that a student would be better**  
192 **served by participating in a different program, the approved program provider may**  
193 **refer the student to the state's adult basic education services.**

194           **12. (1) There is hereby created in the state treasury the "Workforce Diploma**  
195 **Program Fund", which shall consist of any grants, gifts, donations, bequests, or moneys**

196 **appropriated under this section. The state treasurer shall be custodian of the fund. In**  
197 **accordance with sections 30.170 and 30.180, the state treasurer may approve**  
198 **disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys**  
199 **in the fund shall be used solely as provided in this section.**

200 **(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys**  
201 **remaining in the fund at the end of the biennium shall not revert to the credit of the**  
202 **general revenue fund.**

203 **(3) The state treasurer shall invest moneys in the fund in the same manner as**  
204 **other funds are invested. Any interest and moneys earned on such investments shall be**  
205 **credited to the fund.**

206 **13. The department may promulgate all necessary rules and regulations for the**  
207 **administration of this section. Any rule or portion of a rule, as that term is defined in**  
208 **section 536.010, that is created under the authority delegated in this section shall**  
209 **become effective only if it complies with and is subject to all of the provisions of chapter**  
210 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable,**  
211 **and if any of the powers vested with the general assembly pursuant to chapter 536 to**  
212 **review, to delay the effective date, or to disapprove and annul a rule are subsequently**  
213 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**  
214 **adopted after August 28, 2022, shall be invalid and void.**

215 **14. Under section 23.253 of the Missouri sunset act:**

216 **(1) The provisions of the new program authorized under this section shall**  
217 **automatically sunset six years after the effective date of this section unless reauthorized**  
218 **by an act of the general assembly; and**

219 **(2) If such program is reauthorized, the program authorized under this section**  
220 **shall automatically sunset twelve years after the effective date of the reauthorization of**  
221 **this section; and**

222 **(3) This section shall terminate on September first of the calendar year**  
223 **immediately following the calendar year in which the program authorized under this**  
224 **section is sunset.**

**186.080. 1. The commissioner of education shall establish a literacy advisory**  
2 **council. The council shall consist of no more than twenty members, appointed by the**  
3 **commissioner, and shall include members representing the following stakeholder**  
4 **groups:**

5 **(1) School boards;**

6 **(2) Charter schools;**

7 **(3) School superintendents;**

8 **(4) Elementary and secondary building principals;**

- 9           **(5) At least three teachers, including at least two teachers with expertise in**  
10 **reading instruction;**
- 11           **(6) At least two special education educators;**
- 12           **(7) At least two parents of elementary and secondary school-age pupils who have**  
13 **struggled with literacy proficiency;**
- 14           **(8) At least two community members who have struggled with literacy**  
15 **proficiency or supported others who have struggled with literacy proficiency, at least**  
16 **one of whom shall be a high school student;**
- 17           **(9) One member from a dyslexia advocacy group;**
- 18           **(10) Faculty members of institutions of higher education with approved teacher**  
19 **preparation programs;**
- 20           **(11) Professionals with expertise in reading instruction, reading interventions,**  
21 **and how students learn to read, including one certified academic language therapist;**  
22 **and**
- 23           **(12) Professionals with expertise in educational assessment data analysis.**
- 24           **2. The council shall meet at least twice per year to review best practices in**  
25 **literacy instruction and related policy provisions. The department shall provide**  
26 **necessary staff and resources for the work of the advisory council.**
- 27           **3. The council shall periodically provide recommendations to the commissioner**  
28 **and the state board of education regarding any identified improvements to literacy**  
29 **instruction and policy for students. The recommendations may include**  
30 **recommendations for changes to state law, and the commissioner shall furnish any**  
31 **such recommendations to the joint committee on education.**
- 32           **4. The council recommendations shall:**
- 33           **(1) Advise the department of elementary and secondary education on how to**  
34 **implement and maintain the statewide literacy plan required under section 161.241 and**  
35 **advise the department, school districts and charter schools on ways to inform and**  
36 **engage parents and other community members about the literacy plan;**
- 37           **(2) Provide advice as to what services the department should provide to school**  
38 **districts and charter schools to support implementation of the plan and on staffing levels**  
39 **and resources needed at the department to support the statewide effort to improve**  
40 **literacy;**
- 41           **(3) Provide advice regarding the statewide plan for collecting literacy-related**  
42 **data that informs:**
- 43           **(a) Literacy instructional practices;**
- 44           **(b) Teacher professional development in the field of literacy;**

45           **(c) What proficiencies and skills should be measured through literacy**  
46 **assessments and how those assessments are incorporated into local assessment plans;**  
47 **and**

48           **(d) How to identify school progress in achieving literacy outcomes, including**  
49 **closing literacy gaps for students from historically underserved populations;**

50           **(4) Recommend best practices for tiered literacy instruction within a multi-**  
51 **tiered system of supports to best improve and sustain literacy proficiency;**

52           **(5) Review literacy assessments and outcomes and provide ongoing advice as to**  
53 **how to continuously improve those outcomes and sustain improvement; and**

54           **(6) Provide a means for members of the public to provide input and ask**  
55 **questions concerning literacy issues.**

288.220. 1. Subject to the supervision of the director of the department of labor and  
2 industrial relations, the division of employment security of the department of labor and  
3 industrial relations shall be under the control, management and supervision of a director who  
4 shall be appointed by the governor, by and with the advice and consent of the senate. The  
5 director shall serve at the pleasure of the governor.

6           2. The division shall be responsible for administering the Missouri state  
7 unemployment insurance operation and any other operations as are necessary to administer  
8 the state's employment security law.

9           3. The central office of the division shall be maintained in the City of Jefferson.

10           4. Subject to the supervision and approval of the director of the department of labor  
11 and industrial relations, it shall be the duty of the director to administer this law; and the  
12 director shall have power and authority to adopt, amend, or rescind any regulations as the  
13 director deems necessary to the efficient internal management of the division. The director  
14 shall determine the division's organization and methods of procedure. Subject to the  
15 provisions of the state ~~[merit system]~~ **personnel** law, chapter 36, the director shall employ  
16 and prescribe the duties and powers of the persons as may be necessary. The director shall  
17 collaborate with the personnel director ~~[and the personnel advisory board]~~ in establishing for  
18 employees of the division salaries comparable to the salaries paid by other states of a similar  
19 size and volume of operations to employees engaged in the administration of the employment  
20 security programs of those states. The director may delegate to any such person the power  
21 and authority as the director deems reasonable and proper for the effective administration of  
22 the law, and may in the director's discretion bond any person handling moneys or signing  
23 checks. Further, the director shall have the power to make expenditures, require reports,  
24 make investigations and take other action not inconsistent with this law as he or she considers  
25 necessary to the efficient and proper administration of the law.

26           5. Subject to the approval of the director of the department of labor and industrial  
27 relations and the commission, the director shall adopt, amend or rescind the rules and  
28 regulations as are necessary to implement any of the provisions of this law not relating to the  
29 internal management of the division; however, the rules and regulations shall not become  
30 effective until ten days after their approval by the commission and copies thereof have been  
31 filed in the office of the secretary of state.

          302.010. Except where otherwise provided, when used in this chapter, the following  
2 words and phrases mean:

3           (1) "Circuit court", each circuit court in the state;

4           (2) "Commercial motor vehicle", a motor vehicle designed or regularly used for  
5 carrying freight and merchandise, or more than fifteen passengers;

6           (3) "Conviction", any final conviction; also a forfeiture of bail or collateral deposited  
7 to secure a defendant's appearance in court, which forfeiture has not been vacated, shall be  
8 equivalent to a conviction, except that when any conviction as a result of which points are  
9 assessed pursuant to section 302.302 is appealed, the term "conviction" means the original  
10 judgment of conviction for the purpose of determining the assessment of points, and the date  
11 of final judgment affirming the conviction shall be the date determining the beginning of any  
12 license suspension or revocation pursuant to section 302.304;

13           (4) "Criminal history check", a search of criminal records, including criminal history  
14 record information as defined in section 43.500, maintained by the Missouri state highway  
15 patrol in the Missouri criminal records repository or by the Federal Bureau of Investigation as  
16 part of its criminal history records, including, but not limited to, any record of conviction,  
17 plea of guilty or nolo contendere, or finding of guilty in any state for any offense related to  
18 alcohol, controlled substances, or drugs;

19           (5) "Director", the director of revenue acting directly or through the director's  
20 authorized officers and agents;

21           (6) "Farm tractor", every motor vehicle designed and used primarily as a farm  
22 implement for drawing plows, mowing machines and other implements of husbandry;

23           (7) "Highway", any public thoroughfare for vehicles, including state roads, county  
24 roads and public streets, avenues, boulevards, parkways, or alleys in any municipality;

25           (8) "Incompetent to drive a motor vehicle", a person who has become physically  
26 incapable of meeting the prescribed requirements of an examination for an operator's license,  
27 or who has been adjudged by a probate division of the circuit court in a capacity hearing of  
28 being incapacitated;

29           (9) "License", a license issued by a state to a person which authorizes a person to  
30 operate a motor vehicle;

31 (10) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks  
32 except motorized bicycles, as defined in section 307.180 and electric bicycles, as defined in  
33 section 301.010;

34 (11) "Motorcycle", a motor vehicle operated on two wheels; however, this definition  
35 shall not include motorized bicycles or electric bicycles as such terms are defined in section  
36 301.010;

37 (12) "Motortricycle", a motor vehicle operated on three wheels, including a  
38 motorcycle operated with any conveyance, temporary or otherwise, requiring the use of a  
39 third wheel, but excluding an electric bicycle as defined in section 301.010;

40 (13) "Moving violation", that character of traffic violation where at the time of  
41 violation the motor vehicle involved is in motion, except that the term does not include the  
42 driving of a motor vehicle without a valid motor vehicle registration license, or violations of  
43 sections 304.170 to 304.240, inclusive, relating to sizes and weights of vehicles;

44 (14) "Municipal court", every division of the circuit court having original jurisdiction  
45 to try persons for violations of city ordinances;

46 (15) "Nonresident", every person who is not a resident of this state;

47 (16) "Operator", every person who is in actual physical control of a motor vehicle  
48 upon a highway;

49 (17) "Owner", a person who holds the legal title of a vehicle or in the event a vehicle  
50 is the subject of an agreement for the conditional sale or lease thereof with the right of  
51 purchase upon performance of the conditions stated in the agreement and with an immediate  
52 right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a  
53 vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be  
54 deemed the owner for the purpose of sections 302.010 to 302.540;

55 (18) "Record" includes, but is not limited to, papers, documents, facsimile  
56 information, microphotographic process, electronically generated or electronically recorded  
57 information, digitized images, deposited or filed with the department of revenue;

58 (19) "Residence address", "residence", or "resident address" shall be the location at  
59 which a person has been physically present, and that the person regards as home. A residence  
60 address is a person's true, fixed, principal, and permanent home, to which a person intends to  
61 return and remain, even though currently residing elsewhere;

62 (20) "Restricted driving privilege", a sixty-day driving privilege issued by the director  
63 of revenue following a suspension of driving privileges for the limited purpose of driving in  
64 connection with the driver's business, occupation, employment, formal program of secondary,  
65 postsecondary or higher education, or for an alcohol education or treatment program or  
66 certified ignition interlock provider, or a ninety-day interlock restricted privilege issued by  
67 the director of revenue for the limited purpose of driving in connection with the driver's

68 business, occupation, employment, seeking medical treatment for such driver or a dependent  
69 family member, attending school or other institution of higher education, attending alcohol-  
70 or drug-treatment programs, seeking the required services of a certified ignition interlock  
71 provider, fulfilling court obligations, including required appearances and probation and parole  
72 obligations, religious services, the care of a child or children, including scheduled visitation  
73 or custodial obligations pursuant to a court order, fueling requirements for any vehicle  
74 utilized, and seeking basic nutritional requirements;

75 (21) "School bus", when used in sections 302.010 to 302.540, means any motor  
76 vehicle, either publicly or privately owned, **designed for carrying more than ten**  
77 **passengers, that is** used to transport students to and from school, or to transport pupils  
78 properly chaperoned to and from any place within the state for educational purposes. The  
79 term "school bus" shall not include a bus operated by a public utility, municipal corporation or  
80 common carrier authorized to conduct local or interstate transportation of passengers when  
81 such bus is not traveling a specific school bus route but is:

82 (a) On a regularly scheduled route for the transportation of fare-paying passengers; or

83 (b) Furnishing charter service for the transportation of persons enrolled as students on  
84 field trips or other special trips or in connection with other special events;

85 (22) "School bus operator", an operator who operates a school bus as defined in  
86 subdivision (21) of this section in the transportation of any schoolchildren and who receives  
87 compensation for such service. The term "school bus operator" shall not include any person  
88 who transports schoolchildren as an incident to employment with a school or school district,  
89 such as a teacher, coach, administrator, secretary, school nurse, or janitor unless such person  
90 is under contract with or employed by a school or school district as a school bus operator;

91 (23) "Signature", any method determined by the director of revenue for the signing,  
92 subscribing or verifying of a record, report, application, driver's license, or other related  
93 document that shall have the same validity and consequences as the actual signing by the  
94 person providing the record, report, application, driver's license or related document;

95 (24) "Substance abuse traffic offender program", a program certified by the division  
96 of alcohol and drug abuse of the department of mental health to provide education or  
97 rehabilitation services pursuant to a professional assessment screening to identify the  
98 individual needs of the person who has been referred to the program as the result of an  
99 alcohol- or drug-related traffic offense. Successful completion of such a program includes  
100 participation in any education or rehabilitation program required to meet the needs identified  
101 in the assessment screening. The assignment recommendations based upon such assessment  
102 shall be subject to judicial review as provided in subsection 14 of section 302.304 and  
103 subsections 1 and 5 of section 302.540;



104 (25) "Vehicle", any mechanical device on wheels, designed primarily for use, or used  
105 on highways, except motorized bicycles, electric bicycles, vehicles propelled or drawn by  
106 horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers  
107 or motorized wheelchairs operated by handicapped persons.

304.060. 1. The state board of education shall adopt and enforce regulations not  
2 inconsistent with law to cover the design and operation of all school buses used for the  
3 transportation of school children when owned and operated by any school district or privately  
4 owned and operated under contract with any school district in this state, and such regulations  
5 shall by reference be made a part of any such contract with a school district. **School districts**  
6 **shall have the authority to use vehicles other than school buses for the purpose of**  
7 **transporting school children.** The state board of education may adopt rules and regulations  
8 governing the use of other vehicles owned by a district or operated under contract with any  
9 school district in this state and used for the purpose of transporting school children, **except**  
10 **motor vehicles operating under sections 387.400 to 387.440.** [~~The operator of such vehicle~~  
11 ~~shall be licensed in accordance with section 302.272, and such vehicle]~~ **Vehicles other than**  
12 **school buses** shall transport no more children than the manufacturer suggests as appropriate  
13 for such vehicle, **and shall meet any additional requirements of the school district.** The  
14 state board of education may also adopt rules and regulations governing the use of authorized  
15 common carriers for the transportation of students on field trips or other special trips for  
16 educational purposes. Every school district, its officers and employees, and every person  
17 employed under contract by a school district shall be subject to such regulations. The state  
18 board of education shall cooperate with the state transportation department and the state  
19 highway patrol in placing suitable warning signs at intervals on the highways of the state.

20 2. Notwithstanding the provisions of subsection 1 of this section, any school board in  
21 the state of Missouri in an urban district containing the greater part of the population of a city  
22 which has more than three hundred thousand inhabitants may contract with any municipality,  
23 bi-state agency, or other governmental entity for the purpose of transporting school children  
24 attending a grade or grades not lower than the ninth nor higher than the twelfth grade,  
25 provided that such contract shall be for additional transportation services, and shall not  
26 replace or fulfill any of the school district's obligations pursuant to section 167.231. The  
27 school district may notify students of the option to use district-contracted transportation  
28 services.

29 3. Any officer or employee of any school district who violates any of the regulations  
30 or fails to include obligation to comply with such regulations in any contract executed by him  
31 on behalf of a school district shall be guilty of misconduct and subject to removal from office  
32 or employment. Any person operating a school bus under contract with a school district who  
33 fails to comply with any such regulations shall be guilty of breach of contract and such

34 contract shall be cancelled after notice and hearing by the responsible officers of such school  
35 district.

36 4. Any other provision of the law to the contrary notwithstanding, in any county of  
37 the first class with a charter form of government adjoining a city not within a county, school  
38 buses may bear the word "special".

513.430. 1. The following property shall be exempt from attachment and execution  
2 to the extent of any person's interest therein:

3 (1) Household furnishings, household goods, wearing apparel, appliances, books,  
4 animals, crops or musical instruments that are held primarily for personal, family or  
5 household use of such person or a dependent of such person, not to exceed three thousand  
6 dollars in value in the aggregate;

7 (2) A wedding ring not to exceed one thousand five hundred dollars in value and other  
8 jewelry held primarily for the personal, family or household use of such person or a  
9 dependent of such person, not to exceed five hundred dollars in value in the aggregate;

10 (3) Any other property of any kind, not to exceed in value six hundred dollars in the  
11 aggregate;

12 (4) Any implements or professional books or tools of the trade of such person or the  
13 trade of a dependent of such person not to exceed three thousand dollars in value in the  
14 aggregate;

15 (5) Any motor vehicles, not to exceed three thousand dollars in value in the  
16 aggregate;

17 (6) Any mobile home used as the principal residence but not attached to real property  
18 in which the debtor has a fee interest, not to exceed five thousand dollars in value;

19 (7) Any one or more unmaturred life insurance contracts owned by such person, other  
20 than a credit life insurance contract, and up to fifteen thousand dollars of any matured life  
21 insurance proceeds for actual funeral, cremation, or burial expenses where the deceased is the  
22 spouse, child, or parent of the beneficiary;

23 (8) The amount of any accrued dividend or interest under, or loan value of, any one or  
24 more unmaturred life insurance contracts owned by such person under which the insured is  
25 such person or an individual of whom such person is a dependent; provided, however, that if  
26 proceedings under Title 11 of the United States Code are commenced by or against such  
27 person, the amount exempt in such proceedings shall not exceed in value one hundred fifty  
28 thousand dollars in the aggregate less any amount of property of such person transferred by  
29 the life insurance company or fraternal benefit society to itself in good faith if such transfer is  
30 to pay a premium or to carry out a nonforfeiture insurance option and is required to be so  
31 transferred automatically under a life insurance contract with such company or society that  
32 was entered into before commencement of such proceedings. No amount of any accrued

33 dividend or interest under, or loan value of, any such life insurance contracts shall be exempt  
34 from any claim for child support. Notwithstanding anything to the contrary, no such amount  
35 shall be exempt in such proceedings under any such insurance contract which was purchased  
36 by such person within one year prior to the commencement of such proceedings;

37 (9) Professionally prescribed health aids for such person or a dependent of such  
38 person;

39 (10) Such person's right to receive:

40 (a) A Social Security benefit, unemployment compensation or a public assistance  
41 benefit;

42 (b) A veteran's benefit;

43 (c) A disability, illness or unemployment benefit;

44 (d) Alimony, support or separate maintenance, not to exceed seven hundred fifty  
45 dollars a month;

46 (e) **a.** Any payment under a stock bonus plan, pension plan, disability or death  
47 benefit plan, profit-sharing plan, nonpublic retirement plan or any plan described, defined, or  
48 established pursuant to section 456.014, the person's right to a participant account in any  
49 deferred compensation program offered by the state of Missouri or any of its political  
50 subdivisions, or annuity or similar plan or contract on account of illness, disability, death, age  
51 or length of service, to the extent reasonably necessary for the support of such person and any  
52 dependent of such person unless:

53 ~~[(a)]~~ (i) Such plan or contract was established by or under the auspices of an insider  
54 that employed such person at the time such person's rights under such plan or contract arose;

55 ~~[(b)]~~ (ii) Such payment is on account of age or length of service; and

56 ~~[(c)]~~ (iii) Such plan or contract does not qualify under Section 401(a), 403(a), 403(b),  
57 408, 408A or 409 of the Internal Revenue Code of 1986, as amended, (26 U.S.C. Section 401  
58 (a), 403(a), 403(b), 408, 408A or 409)[;].

59 ~~[except that]~~ **b. Notwithstanding the exemption provided in subparagraph a. of**  
60 **this paragraph**, any such payment to any person shall be subject to attachment or execution  
61 pursuant to a qualified domestic relations order, as defined by Section 414(p) of the Internal  
62 Revenue Code of 1986 (**26 U.S.C. Section 414(p)**), as amended, issued by a court in any  
63 proceeding for dissolution of marriage or legal separation or a proceeding for disposition of  
64 property following dissolution of marriage by a court which lacked personal jurisdiction over  
65 the absent spouse or lacked jurisdiction to dispose of marital property at the time of the  
66 original judgment of dissolution;

67 (f) Any money or assets, payable to a participant or beneficiary from, or any interest  
68 of any participant or beneficiary in, a retirement plan, profit-sharing plan, health savings plan,  
69 or similar plan, including an inherited account or plan, that is qualified under Section 401(a),

70 403(a), 403(b), 408, 408A or 409 of the Internal Revenue Code of 1986 (**26 U.S.C. 401(a),**  
71 **403(a), 403(b), 408, 408A, or 409**), as amended, whether such participant's or beneficiary's  
72 interest arises by inheritance, designation, appointment, or otherwise, except as provided in  
73 this paragraph. Any plan or arrangement described in this paragraph shall not be exempt  
74 from the claim of an alternate payee under a qualified domestic relations order; however, the  
75 interest of any and all alternate payees under a qualified domestic relations order shall be  
76 exempt from any and all claims of any creditor, other than the state of Missouri through its  
77 department of social services. As used in this paragraph, the terms "alternate payee" and  
78 "qualified domestic relations order" have the meaning given to them in Section 414(p) of the  
79 Internal Revenue Code of 1986 (**26 U.S.C. Section 414(p)**), as amended. If proceedings  
80 under Title 11 of the United States Code are commenced by or against such person, no  
81 amount of funds shall be exempt in such proceedings under any such plan, contract, or trust  
82 which is fraudulent as defined in subsection 2 of section 428.024 and for the period such  
83 person participated within three years prior to the commencement of such proceedings. For  
84 the purposes of this section, when the fraudulently conveyed funds are recovered and after,  
85 such funds shall be deducted and then treated as though the funds had never been contributed  
86 to the plan, contract, or trust;

87 (11) The debtor's right to receive, or property that is traceable to, a payment on  
88 account of the wrongful death of an individual of whom the debtor was a dependent, to the  
89 extent reasonably necessary for the support of the debtor and any dependent of the debtor;

90 (12) Firearms, firearm accessories, and ammunition, not to exceed one thousand five  
91 hundred dollars in value in the aggregate;

92 **(13) Any moneys accruing to and deposited in individual savings accounts or**  
93 **individual deposit accounts under sections 166.400 to 166.456 or sections 166.500 to**  
94 **166.529, subject to the following provisions:**

95 **(a) This subdivision shall apply to any proceeding that:**

96 **a. Is filed on or before January 1, 2022; or**

97 **b. Was filed before January 1, 2022, and is pending or on appeal after January 1,**  
98 **2022;**

99 **(b) Except as provided by paragraph (c) of this subdivision, if the designated**  
100 **beneficiary of an individual savings account or individual deposit account established**  
101 **under sections 166.400 to 166.456 or sections 166.500 to 166.529 is a lineal descendant of**  
102 **the account owner, all moneys in the account shall be exempt from any claims of**  
103 **creditors of the account owner or designated beneficiary;**

104 **(c) The provisions of paragraph (b) of this subdivision shall not apply to:**

105           **a. Claims of any creditor of an account owner as to amounts contributed within**  
 106 **a two-year period preceding the date of the filing of a bankruptcy petition under 11**  
 107 **U.S.C. Section 101 et seq., as amended; or**

108           **b. Claims of any creditor of an account owner as to amounts contributed within**  
 109 **a one-year period preceding an execution on judgment for such claims against the**  
 110 **account owner.**

111           2. Nothing in this section shall be interpreted to exempt from attachment or execution  
 112 for a valid judicial or administrative order for the payment of child support or maintenance  
 113 any money or assets, payable to a participant or beneficiary from, or any interest of any  
 114 participant or beneficiary in, a retirement plan which is qualified pursuant to Sections 408 and  
 115 408A of the Internal Revenue Code of 1986 (**26 U.S.C. Sections 408 and 408A**), as  
 116 amended.

2           ~~[36.050. 1. The personnel advisory board and its functions, duties and~~  
 3 ~~powers prescribed in this chapter is transferred by type III transfer to the office~~  
 4 ~~of administration.~~

5           ~~2. The personnel advisory board shall consist of seven members. Four~~  
 6 ~~members of the board shall be public members, citizens of the state who are~~  
 7 ~~not state employees or officials, of good character and reputation, who are~~  
 8 ~~known to be in sympathy with the application of merit principles to public~~  
 9 ~~employment. Two members shall be employees of state agencies subject to~~  
 10 ~~this chapter pursuant to subsection 1 of section 36.030 or any department,~~  
 11 ~~agency, or position of the executive branch of state government not exempted~~  
 12 ~~from section 36.031, one a member of executive management, and one a~~  
 13 ~~nonmanagement employee. The state equal employment opportunity officer~~  
 14 ~~shall be a member of the board. No member of the board, during the member's~~  
 15 ~~term of office, or for at least one year prior thereto, shall be a member of any~~  
 16 ~~local, state or national committee of a political party or an officer or member~~  
 17 ~~of a committee in any partisan political club or organization, or hold, or be a~~  
 18 ~~candidate for, a partisan public office. An employee member who leaves state~~  
 19 ~~employment or otherwise fails to further qualify for the appointment shall~~  
 20 ~~vacate the position.~~

21           ~~3. The members of the board shall be appointed by the governor by~~  
 22 ~~and with the advice and consent of the senate. Appointments of all members~~  
 23 ~~shall be for terms of six years. Any vacancy shall be filled by an appointment~~  
 24 ~~for the unexpired term. Each member of the board shall hold office until such~~  
 25 ~~member's successor is appointed and qualified.~~

26           ~~4. A member of the board is removable by the governor only for just~~  
 27 ~~cause, after being given a written notice setting forth in substantial detail the~~  
 28 ~~charges against the member and an opportunity to be heard publicly on the~~  
 29 ~~charges before the governor. A copy of the charges and a transcript of the~~  
 30 ~~record of the hearing shall be filed with the secretary of state.~~

31           ~~5. Each public member of the board shall be paid an amount for each~~  
 32 ~~day devoted to the work of the board which shall be determined by the~~  
 commissioner of administration and filed with the reorganization plan of the

33 office of administration; provided, however, that such amount shall not exceed  
 34 that paid to members of boards and commissions with comparable  
 35 responsibilities. All board members are entitled to reimbursement for  
 36 necessary travel and other expenses pertaining to the duties of the board.  
 37 Duties performed for the board by any employee member of the board shall be  
 38 considered duties in connection with the appointment of the individual, and  
 39 such employee member shall suffer no loss of regular compensation by reason  
 40 of performance of such duties.

41 6. The board shall elect from among its membership a chairman and  
 42 vice chairman, who shall act as chairman in the chairman's absence. It shall  
 43 meet at the times and places specified by call of the chairman, the governor, or  
 44 the director. At least one meeting shall be held every three months. All  
 45 regular meetings are open to the public. Notice of each meeting shall be given  
 46 in writing to each member by the director. Four members shall constitute a  
 47 quorum for the transaction of official business.

48 7. To assist in the performance of its duties the board may employ staff  
 49 from funds appropriated for this purpose; provided, however, that this  
 50 provision shall not be interpreted to limit the ability of the personnel director  
 51 to provide assistance to the board.]

Section B. Because immediate action is necessary to provide for the safety and  
 2 education of school children and increase the number of substitute teachers, the enactment of  
 3 section 168.036 of this act is deemed necessary for the immediate preservation of the public  
 4 health, welfare, peace, and safety, and is hereby declared to be an emergency act within the  
 5 meaning of the constitution, and the enactment of section 168.036 of this act shall be in full  
 6 force and effect upon its passage and approval.

Section C. The repeal and reenactment of section 167.645 of this act shall become  
 2 effective January 1, 2023.

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