

**CONSIDERATION OF A NOTICE OF PROPOSED RULEMAKING AND EMERGENCY
RULEMAKING TO AMEND 5 CSR 20-400.220, APPLICATION FOR A SUBSTITUTE
CERTIFICATE OF LICENSE TO TEACH**

STATUTORY AUTHORITY:

Sections 161.092, 168.011, 168.021,
168.071, and 168.081, RSMo

Consent Action Report
Item Item Item

PRIORITY AREA

Educator Recruitment & Retention

SUMMARY

The proposed rulemaking and emergency rulemaking add language that allows department-approved training as an alternative route to obtain a substitute certificate of license to teach. This amendment will expedite a strategy for addressing shortages of substitute teachers.

PRESENTER

Paul Katnik, Assistant Commissioner, Office of Educator Quality, will participate in the presentation and discussion of this agenda item.

RECOMMENDATION

The Department recommends that the State Board of Education authorize publication in the *Missouri Register* of a notice of proposed rulemaking to amend 5 CSR 20-400.220, Application for a Substitute Certificate of License to Teach.

The Department also recommends that the State Board of Education authorize publication in the *Missouri Register* of the emergency rulemaking to amend 5 CSR 20-400.220, Application for a Substitute Certificate of License to Teach.

The State Board of Education finds the proposed amendment and the emergency amendment are necessary to carry out the purposes of Sections 161.092, 168.011, 168.021, 168.071, and 168.081, RSMo.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality

PROPOSED AMENDMENT

5 CSR 20-400.220 Application for Substitute Certificate of License to Teach. The State Board of Education is amending section (1).

PURPOSE: This proposed amendment adds language that allows department-approved training as an alternative route to gain a substitute certificate of license to teach.

(1) An applicant for a substitute Missouri certificate of license to teach who has successfully completed sixty (60) semester hours or more of college level credit from a regionally-accredited academic degree granting institution recognized by the Department of Elementary and Secondary Education (department) **or has a high school diploma, General Education Diploma (GED) or High School Equivalency Test (HiSET) and has successfully completed a minimum of twenty (20) clock hours of department-approved substitute teacher training that includes professionalism, honoring diversity, engaging students, foundational classroom management techniques, basic instructional strategies, supporting students with special needs, and working with at-risk youth** may be granted a substitute Missouri certificate of license to teach pursuant to the rules promulgated by the State Board of Education (board).

AUTHORITY: sections 161.092, 168.011, 168.071, and 168.081, RSMo 2016, and section 168.021, RSMo Supp. 2019. This rule previously filed as 5 CSR 80-800.290. Emergency rule filed July 30, 1999, effective Aug. 9, 1999, expired Jan. 26, 2000. Original rule filed July 30, 1999, effective Feb. 29, 2000. For intervening history, please consult the Code of State Regulations. Amended: Filed _____.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Elementary and Secondary Education, Attention: Dr. Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality

EMERGENCY AMENDMENT

5 CSR 20-400.220 Application for Substitute Certificate of License to Teach. The State Board of Education is amending section (1).

PURPOSE: This proposed amendment adds language that allows department-approved training as an alternative route to gain a substitute certificate of license to teach. This will expedite a strategy for addressing shortages of substitute teachers.

*EMERGENCY STATEMENT: This emergency amendment is necessary to allow individuals to complete department-approved training as an alternative route to gain a substitute certificate of license to teach. There is a need to expand the pool of available substitute teachers. Successful completion of sixty (60) semester hours or more of college level credit is currently required to earn a substitute certificate of license to teach. For some individuals, this requirement is both time and cost prohibitive. Prior to the current COVID-19 circumstances, schools had already been experiencing and reporting shortages of substitute teachers. Because this is a large-scale health crisis with multiple phases of infection impacting not only the health of teachers but also their families, it is reasonable to assume there will be an increase in the need for substitute teachers as a result of the pandemic. In addition, the number of candidates preparing to be teachers has been declining steadily over the past six (6) years, making it more difficult to fill needed positions and increasing demand for long-term substitute teachers. As a result, the board finds a compelling governmental interest, which requires this emergency action. A proposed amendment, which covers the same material, is published in this issue of the **Missouri Register**. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the **Missouri** and **United States Constitutions**. The board believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed _____, 2020, becomes effective _____, 2020, and expires _____, 2021.*

(1) An applicant for a substitute Missouri certificate of license to teach who has successfully completed sixty (60) semester hours or more of college level credit from a regionally-accredited academic degree granting institution recognized by the Department of Elementary and Secondary Education (department) **or has a high school diploma, General Education Diploma (GED) or High School Equivalency Test (HiSET) and has successfully completed a minimum of twenty (20) clock hours of department-approved substitute teacher training that includes professionalism, honoring diversity, engaging students, foundational classroom management techniques, basic instructional strategies, supporting students with special needs, and working with at-risk youth** may be granted a substitute Missouri certificate of license to teach pursuant to the rules promulgated by the State Board of Education (board).

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Regulations. Emergency amendment filed _____, 2020, effective _____, expires _____, 2021. A proposed amendment covering this same material is published in this issue of the Missouri Register.

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.