
Emergency Rule

**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 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 as a result of declining numbers of teachers, which has been exacerbated by the COVID-19 pandemic. From the start of the pandemic, the department has worked with school districts to find ways to address teacher shortages. These efforts include the introduction of a previous, different version of this rule, which became effective in September 2020 and which expired in February 2021. The department made the decision to withdraw the proposed amendment in November 2020 to allow further time to review the effectiveness of the online training. During the pendency of the emergency rule, the state board evaluated the effectiveness of these new practices for substitute teachers and districts, made changes to the process based on the department's review, and voted to promulgate a proposed amendment with updated provisions that will become effective in December 2021. Since the beginning of the new school year and the emergence of a more severe strain of the virus, the department has determined that school district substitute teacher shortages have continued to accelerate. The department has further determined that there is an emergency need that the emergency amendment, if effective now, would address. Because of the continuing pandemic and shortage of substitute teachers, and the department's determination that the processes outlined in this amendment successfully meet the needs of schools and prospective substitute teachers as revised based on the department's experience, the board finds a compelling governmental interest, which requires this emergency action. A proposed amendment, which covers the same material, was published in the *Missouri Register* on June 1, 2021 (46 MoReg 926-927). The Order of Rulemaking was filed with the secretary of state on September 20, 2021. 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 October 19, 2021, becomes effective November 2, 2021, and expires December 31, 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).

AUTHORITY: sections 161.092, 168.011, 168.071, and 168.081, RSMo 2016, and section 168.021, RSMo Supp. [2020] 2021. 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*. Emergency amendment filed Oct. 19, 2021, effective Nov. 2, 2021, expires Dec. 31, 2021.

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

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