

SCHOOLS: All applicants for a third grade certificate must present evidence of having completed Four years of high school work or its equivalent.

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8-26



Hon. C. Spannagel
Prosecuting Attorney
Laclede County
Lebanon, Missouri

Dear Sir:

This will acknowledge receipt of your letter requesting an opinion upon the following state of facts:

"If a person held a third grade certificate on or before September 1st, 1923, qualifying, at that time in preparation, could that person, at the present time (especially after such person had taught for and during intervening years) take and qualify for such examination with the same qualifications that such person had in taking the examination before September 1st, 1923.

"In other words, if such person was qualified as a holder of a third grade certificate prior to September 1st, 1923, must she now in securing a renewal or taking another examination have the qualifications necessary for those who did not hold a third grade certificate prior to September 1st, 1923.

"Example of Problem: A, in 1922 held a third grade certificate that did not require two years of High school work. Statute required those not holding a certificate as of September 1st, 1923, to have two years of high school work, If A, on the expiration of her third grade certificate, takes another examination must she have two years of high school work?"

Your attention is directed to Section 9472, R. S. Mo. 1929, relating to qualifications of persons in obtaining third grade certificates. It provides in part as follows:

" **** from and after September 1, 1923, all applicants for a third grade certificate must present evidence of having completed two years of high school work or its equivalent. **** From and after September 1, 1925, all applicants for a third grade certificate must present evidence of having completed three years of such work, or its equivalent. From and after September 1, 1927, all applicants for a third grade certificate must present evidence of having completed four years of such work, or its equivalent. ** "

And further:

" **** that provisions of this section shall not apply to any person who holds a certificate entitling him to teach in the schools of Missouri at the time of the taking effect of this section. **** "

The above statute contemplates that all applicants for third grade certificates must present evidence of their having completed two years of high school work or its equivalent from and after September 1, 1923; from and after September 1, 1925, all applicants for a third grade certificate must present evidence of having completed three years of such work; from and after September 1, 1927, all applicants for a third grade certificate must present evidence of having completed four years of such work.

The proviso above set forth in nowise did prohibit the teaching by a person holding a third grade certificate at the time of the enactment of the section above set forth in part. The proviso contemplated that a person at that time holding a certificate would be able to teach until such time as the expiration of the certificate theretofore issued.

Under the provisions of Section 9470, R. S. Mo. 1929, it provides in part that,

"third grade shall be valid for one year."

Under the provisions of Section 9473, R.S. Mo. 1929, providing for the renewal of teachers' certificates, it is stated that,

" * * * third grade certificate may be granted to any one person in but four consecutive years; * * * third grade certificates shall be renewed without examination once.

You may note from the above section of the statute that a person may be granted a third grade certificate to teach in but four consecutive years, meaning that the person may be issued a third grade certificate entitling him to teach in but four years and that such person may not teach after four years without holding a higher grade certificate. You will further note that a third grade certificate may only be renewed without examination once.

It is evident that the Legislature, in enacting these sections above mentioned, had in mind that the scholastic attainments of the teachers holding certificates should be increased from time to time so that the persons entitled to receive an education would receive the best obtainable.

"A", as mentioned in your hypothetical question, would upon the expiration of her third grade certificate have to take another examination before a certificate entitling her to teach would be granted, and she must have had at least four years of high school work as set forth in Section 9472, supra. "A" has taught during the four consecutive years holding a third grade certificate. At the present time "A" would not be entitled to receive another third grade certificate to teach in the public schools.

CONCLUSION

All applicants for a third grade certificate to teach in the public schools must present evidence of having completed four years of high school work, or its equivalent, as set forth in Section 9470, R.S. Mo. 1929, supra.

Respectfully submitted,

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APPROVED:

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