

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 2247, Page 1, Section 160.400, Line 1, by
2 deleting all of said line and inserting in lieu thereof the following:

3
4 "160.400. 1. (1) A charter school is an independent public school.

5 (2) Employees of charter schools shall be subject to the same laws, rules, and regulations
6 imposed by the state of Missouri on employees of public schools, including the certification
7 requirements of section 168.011 and the requirements of the teacher tenure act under sections
8 168.102 to 168.130.

9 (3) Employees of charter schools shall enjoy the same rights enjoyed by employees of
10 public schools, including the rights of assembly and association."; and

11
12 Further amend said bill, Page 25, Section 160.415, Line 150, by inserting after all of said line the
13 following:

14
15 "160.420. 1. Any school district in which charter schools may be established under sections
16 160.400 to 160.425 shall establish a uniform policy which provides that if a charter school offers to
17 retain the services of an employee of a school district, and the employee accepts a position at the
18 charter school, an employee at the employee's option may remain an employee of the district and the
19 charter school shall pay to the district the district's full costs of salary and benefits provided to the
20 employee. The district's policy shall provide that any teacher who accepts a position at a charter
21 school and opts to remain an employee of the district retains such teacher's permanent teacher status
22 and retains such teacher's seniority rights in the district for three years. The school district shall not
23 be liable for any such employee's acts while an employee of the charter school.

24 2. ~~[A charter school may employ noncertificated instructional personnel; provided that no~~
25 ~~more than twenty percent of the full-time equivalent instructional staff positions at the school are~~
26 ~~filled by noncertificated personnel. All noncertificated instructional personnel shall be supervised by~~
27 ~~certificated instructional personnel. A charter school that has a foreign language immersion~~
28 ~~experience as its chief educational mission, as stated in its charter, shall not be subject to the twenty-~~
29 ~~percent requirement of this subsection but shall ensure that any teachers whose duties include~~
30 ~~instruction given in a foreign language have current valid credentials in the country in which such~~
31 ~~teacher received his or her training and shall remain subject to the remaining requirements of this~~
32 ~~subsection. The] Each~~ charter school shall ensure that all instructional employees of the charter
33 school have experience, training and skills appropriate to the instructional duties of the employee,
34 and the charter school shall ensure that a criminal background check and family care safety registry
35 check are conducted for each employee of the charter school prior to the hiring of the employee
36 under the requirements of section 168.133. ~~[The charter school may not employ instructional~~

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1 personnel whose certificate of license to teach has been revoked or is currently suspended by the
 2 state board of education. ~~Appropriate experience, training and skills of noncertificated instructional~~
 3 ~~personnel shall be determined considering:~~

- 4 ~~—— (1) Teaching certificates issued by another state or states;~~
 5 ~~—— (2) Certification by the National Board for Professional Teaching Standards;~~
 6 ~~—— (3) College degrees in the appropriate field;~~
 7 ~~—— (4) Evidence of technical training and competence when such is appropriate; and~~
 8 ~~—— (5) The level of supervision and coordination with certificated instructional staff.]~~

9 3. Personnel employed by the charter school shall participate in the retirement system of the
 10 school district in which the charter school is located, subject to the same terms, conditions,
 11 requirements and other provisions applicable to personnel employed by the school district. For
 12 purposes of participating in the retirement system, the charter school shall be considered to be a
 13 public school within the school district, and personnel employed by the charter school shall be
 14 public school employees. In the event of a lapse of the school district's corporate organization as
 15 described in subsections 1 and 4 of section 162.081, personnel employed by the charter school shall
 16 continue to participate in the retirement system and shall do so on the same terms, conditions,
 17 requirements and other provisions as they participated prior to the lapse."; and

18
 19 Further amend said bill, Page 30, Section 167.268, Line 20, by inserting after all of said line the
 20 following:

21
 22 "168.011. 1. No person shall be employed to teach in any position in a public school,
 23 including a charter school, until he or she has received a valid certificate of license entitling him or
 24 her to teach in that position.

25 2. Teaching in the state of Missouri, performing other related education duties, school
 26 administration, and teacher education are hereby declared to be professions with all the appropriate
 27 rights, responsibilities and privileges accorded to other recognized professions.

28 168.104. The following words and phrases when used in sections 168.102 to 168.130,
 29 except in those instances where the context indicates otherwise, mean:

30 (1) "Board of education", the school board or board of directors of a school district, except a
 31 metropolitan school district, having general control of the affairs of the district;

32 (2) "Demotion", any reduction in salary or transfer to a position carrying a lower salary,
 33 except on request of a teacher, other than any change in salary applicable to all teachers or all
 34 teachers in a classification;

35 (3) "Indefinite contract", every contract heretofore or hereafter entered into between a
 36 school district and a permanent teacher;

37 (4) "Permanent teacher", any teacher who has been employed or who is hereafter employed
 38 as a teacher in the same school district for five successive years and who has continued or who
 39 thereafter continues to be employed as a teacher by the school district or any supervisor of teachers
 40 who was employed as a teacher in the same school district for at least five successive years prior to
 41 becoming a supervisor of teachers and who continues thereafter to be employed as a certificated
 42 employee by the school district; except that, when a permanent teacher resigns or is permanently
 43 separated from employment by a school district, and is afterwards reemployed by the same school
 44 district, reemployment for the first school year does not constitute an indefinite contract but if he is
 45 employed for the succeeding year, the employment constitutes an indefinite contract; and except that
 46 any teacher employed under a part-time contract by a school district shall accrue credit toward
 47 permanent status on a prorated basis. Any permanent teacher who is promoted with his consent to a
 48 supervisory position including principal or assistant principal, or is first employed by a district in a

1 supervisory position including principal or assistant principal, shall not have permanent status in
2 such position but shall retain tenure in the position previously held within the district, or, after
3 serving two years as principal or assistant principal, shall have tenure as a permanent teacher of that
4 system;

5 (5) "Probationary teacher", any teacher as herein defined who has been employed in the
6 same school district for five successive years or less. In the case of any probationary teacher who
7 has been employed in any other school system as a teacher for two or more years, the board of
8 education shall waive one year of his probationary period;

9 (6) "School district", every school district or charter school in this state, except a
10 metropolitan school district as defined in section 162.571;

11 (7) "Teacher", any employee of a school district or charter school, except a metropolitan
12 school district, regularly required to be certified under laws relating to the certification of teachers,
13 except superintendents and assistant superintendents but including certified teachers who teach at
14 the prekindergarten level in a nonmetropolitan public school or charter school within a
15 prekindergarten program in which no fees are charged to parents or guardians."; and
16

17 Further amend said bill by amending the title, enacting clause, and intersectional references
18 accordingly.