

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Bill No. 1903, Page 1, Section A, Line 3, by inserting after all of said section and
2 line the following:

3
4 "163.031. 1. The department of elementary and secondary education shall calculate and
5 distribute to each school district qualified to receive state aid under section 163.021 an amount
6 determined by multiplying the district's weighted average daily attendance by the state adequacy
7 target, multiplying this product by the dollar value modifier for the district, and subtracting from this
8 product the district's local effort and subtracting payments from the classroom trust fund under
9 section 163.043.

10 2. Other provisions of law to the contrary notwithstanding:

11 (1) For districts with an average daily attendance of more than three hundred fifty in the
12 school year preceding the payment year:

13 (a) For the 2008-09 school year, the state revenue per weighted average daily attendance
14 received by a district from the state aid calculation under subsections 1 and 4 of this section, as
15 applicable, and the classroom trust fund under section 163.043 shall not be less than the state
16 revenue received by a district in the 2005-06 school year from the foundation formula, line 14,
17 gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts
18 multiplied by the dollar value modifier, and dividing this product by the weighted average daily
19 attendance computed for the 2005-06 school year;

20 (b) For each year subsequent to the 2008-09 school year, the amount shall be no less than
21 that computed in paragraph (a) of this subdivision, multiplied by the weighted average daily
22 attendance pursuant to section 163.036, less any increase in revenue received from the classroom
23 trust fund under section 163.043;

24 (2) For districts with an average daily attendance of three hundred fifty or less in the school
25 year preceding the payment year:

26 (a) For the 2008-09 school year, the state revenue received by a district from the state aid
27 calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund
28 under section 163.043 shall not be less than the greater of state revenue received by a district in the
29 2004-05 or 2005-06 school year from the foundation formula, line 14, gifted, remedial reading,
30 exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the dollar value
31 modifier;

32 (b) For each year subsequent to the 2008-09 school year, the amount shall be no less than
33 that computed in paragraph (a) of this subdivision;

34 (3) The department of elementary and secondary education shall make an addition in the
35 payment amount specified in subsection 1 of this section to assure compliance with the provisions
36 contained in this subsection.

Action Taken _____ Date _____

1 3. School districts that meet the requirements of section 163.021 shall receive categorical
2 add-on revenue as provided in this subsection. The categorical add-on for the district shall be the
3 sum of: seventy-five percent of the district allowable transportation costs under section 163.161; the
4 career ladder entitlement for the district, as provided for in sections 168.500 to 168.515; the
5 vocational education entitlement for the district, as provided for in section 167.332; and the district
6 educational and screening program entitlements as provided for in sections 178.691 to 178.699. The
7 categorical add-on revenue amounts may be adjusted to accommodate available appropriations.

8 4. For any school district meeting the eligibility criteria for state aid as established in section
9 163.021, but which is considered an option district under section 163.042 and therefore receives no
10 state aid, the commissioner of education shall present a plan to the superintendent of the school
11 district for the waiver of rules and the duration of said waivers, in order to promote flexibility in the
12 operations of the district and to enhance and encourage efficiency in the delivery of instructional
13 services as provided in section 163.042.

14 5. (1) No less than seventy-five percent of the state revenue received under the provisions
15 of subsections 1 and 2 of this section shall be placed in the teachers' fund, and the remaining percent
16 of such moneys shall be placed in the incidental fund. No less than seventy-five percent of one-half
17 of the funds received from the school district trust fund distributed under section 163.087 shall be
18 placed in the teachers' fund. One hundred percent of revenue received under the provisions of
19 section 163.161 shall be placed in the incidental fund. One hundred percent of revenue received
20 under the provisions of sections 168.500 to 168.515 shall be placed in the teachers' fund.

21 (2) A school district shall spend for certificated compensation and tuition expenditures each
22 year:

23 (a) An amount equal to at least seventy-five percent of the state revenue received under the
24 provisions of subsections 1 and 2 of this section;

25 (b) An amount equal to at least seventy-five percent of one-half of the funds received from
26 the school district trust fund distributed under section 163.087 during the preceding school year;
27 [and]

28 (c) Beginning in fiscal year 2008, as much as was spent per the second preceding year's
29 weighted average daily attendance for certificated compensation and tuition expenditures the
30 previous year from revenue produced by local and county tax sources in the teachers' fund, plus the
31 amount of the incidental fund to teachers' fund transfer calculated to be local and county tax sources
32 by dividing local and county tax sources in the incidental fund by total revenue in the incidental
33 fund; and

34 (d) Beginning in fiscal year 2022, no compensation, including but not limited to any salary,
35 wages, or fringe benefits, shall be provided to a superintendent of a school district from the teachers'
36 fund.

37
38 In the event a district fails to comply with this provision, the amount by which the district fails to
39 spend funds as provided herein shall be deducted from the district's state revenue received under the
40 provisions of subsections 1 and 2 of this section for the following year, provided that the state board
41 of education may exempt a school district from this provision if the state board of education
42 determines that circumstances warrant such exemption.

43 6. (1) If a school district's annual audit discloses that students were inappropriately
44 identified as eligible for free and reduced price lunch, special education, or limited English
45 proficiency and the district does not resolve the audit finding, the department of elementary and
46 secondary education shall require that the amount of aid paid pursuant to the weighting for free and
47 reduced price lunch, special education, or limited English proficiency in the weighted average daily
48 attendance on the inappropriately identified pupils be repaid by the district in the next school year
49 and shall additionally impose a penalty of one hundred percent of such aid paid on such pupils,

1 which penalty shall also be paid within the next school year. Such amounts may be repaid by the
2 district through the withholding of the amount of state aid.

3 (2) In the 2017-18 school year and in each subsequent school year, if a district experiences a
4 decrease in its gifted program enrollment of twenty percent or more from the previous school year,
5 an amount equal to the product of the difference between the number of students enrolled in the
6 gifted program in the current school year and the number of students enrolled in the gifted program
7 in the previous school year multiplied by six hundred eighty dollars shall be subtracted from the
8 district's current year payment amount. The provisions of this subdivision shall apply to districts
9 entitled to receive state aid payments under both subsections 1 and 2 of this section but shall not
10 apply to any school district with an average daily attendance of three hundred fifty or less.

11 7. Notwithstanding any provision of law to the contrary, in any fiscal year during which the
12 total formula appropriation is insufficient to fully fund the entitlement calculation of this section, the
13 department of elementary and secondary education shall adjust the state adequacy target in order to
14 accommodate the appropriation level for the given fiscal year. In no manner shall any payment
15 modification be rendered for any district qualified to receive payments under subsection 2 of this
16 section based on insufficient appropriations.

17 8. Notwithstanding any provision of law to the contrary, school districts that receive revenue
18 from the tax authorized under sections 148.030, 148.140, 148.620, and 148.720 shall, beginning
19 January 1, 2020, and every January first thereafter, report the amount of said revenue received by
20 the district to the department. The department shall, based on the data submitted by the district,
21 determine the total amount of revenue the district would have received from the tax authorized
22 under sections 148.030, 148.140, 148.620, and 148.720 absent the provisions of section 148.720,
23 and remit the following amount to each applicable district not less than thirty days after the
24 conclusion of each calendar year. The amount remitted to each district shall be the total of the
25 revenue received by the district from the tax authorized under sections 148.030, 148.140, 148.620,
26 and 148.720 during the applicable calendar year times one and five thousand six hundred twenty-
27 five ten thousandths minus the total of the revenue received by the district from the tax authorized
28 under sections 148.030, 148.140, 148.620, and 148.720 during the same calendar year. This
29 payment shall be in addition to payments authorized under subsections 1, 2, and 7 of this section and
30 shall be made from the annual appropriation to fund this section.

31 168.191. 1. As used in this section and sections 168.201, 168.205, and 168.211, the term
32 "total compensation" means, as calculated for the most recently completed full school year, all
33 amounts of any salary, wages, and fringe benefits provided by a school district to a superintendent or
34 a teacher, as applicable, except that "total compensation" shall not include any additional salary,
35 wages, or other monetary compensation provided by a school district to a school district teacher for
36 service performed on behalf of a school district as a coach, advisor, sponsor, or other similar service.

37 2. In all counties [~~of the first class except counties of the first class not~~] having a charter
38 form of government, any board of education, other than boards in urban districts, in charge of a
39 public school system maintaining a classified high school, previously approved by the state board of
40 education, and employing a superintendent [~~devoting his~~] devoted full time to supervisory and
41 administrative work, may employ and enter into contract with a superintendent of schools for the
42 school district for a period of not to exceed three years. This law shall not invalidate or repeal any
43 other law of this state relating to the employment of teachers, principals or superintendents of public
44 schools.

45 3. The following provisions of this subsection shall apply to all contracts or employment
46 agreements with a superintendent entered into after the effective date of this section:

47 (1) The total compensation provided to a superintendent under this section shall not exceed
48 three and one-half times the average total compensation provided to all teachers who are certified
49 under section 168.021 and employed full time by the school district; and

1 (2) Any superintendent employed by the school district shall reside within twenty-five miles
 2 of the boundaries of the school district.

3 168.201. 1. The board of education in all districts except metropolitan districts may employ
 4 and contract with a superintendent for a term not to exceed three years from the time of making the
 5 contract, and may employ such other servants and agents as it deems necessary, and prescribe their
 6 powers, duties, compensation and term of office or employment which shall not exceed three years.
 7 It shall provide and keep a corporate seal.

8 2. The following provisions of this subsection shall apply to all contracts or employment
 9 agreements with a superintendent entered into after the effective date of this section:

10 (1) The total compensation provided to a superintendent under this section shall not exceed
 11 three and one-half times the average total compensation provided to all teachers who are certified
 12 under section 168.021 and employed full time by the school district; and

13 (2) Any superintendent employed by the school district shall reside within twenty-five miles
 14 of the boundaries of the school district."; and

15
 16 Further amend said bill, Page 2, Section 168.205, Line 20, by inserting after all of said line the
 17 following;

18
 19 "3. The following provisions of this subsection shall apply to all contracts or employment
 20 agreements with a superintendent entered into after the effective date of this section:

21 (1) The total compensation provided to a superintendent under this section shall not exceed
 22 three and one-half times the average total compensation provided to all teachers who are certified
 23 under section 168.021 and employed full time by the school districts that share the superintendent;
 24 and

25 (2) Any superintendent employed by school districts sharing a superintendent shall reside
 26 within twenty-five miles of the boundaries of one of the school districts sharing the superintendent.

27 168.211. 1. (1) In metropolitan districts the superintendent of schools shall be appointed by
 28 the board of education for a term of one to five years, during which term [his] the superintendent's
 29 compensation shall not be reduced. The superintendent of schools may appoint, with the approval
 30 of the board, a treasurer, a commissioner of school buildings and [he] such commissioner shall serve
 31 at the pleasure of the superintendent of schools, and as many associate and assistant superintendents
 32 as [he] the superintendent deems necessary, whose compensation shall be fixed by the board. The
 33 superintendent of schools shall give bond in the sum that the board requires but not less than fifty
 34 thousand dollars. No employee or agent of the board shall be a member of the board.

35 (2) The following provisions of this subdivision shall apply to all contracts or employment
 36 agreements with a superintendent entered into after the effective date of this section:

37 (a) The total compensation provided to a superintendent under this section shall not exceed
 38 three and one-half times the average total compensation provided to all teachers who are certified
 39 under section 168.021 and employed full time by the school district; and

40 (b) Any superintendent employed by the school district shall reside within twenty-five miles
 41 of the boundaries of the school district.

42 2. The superintendent of schools shall have general supervision, subject to policies
 43 established by the board, of the school system, including its various departments and physical
 44 properties, courses of instruction, discipline and conduct of the schools, textbooks and studies. All
 45 appointments, promotions and transfers of teachers and all other employees, and introduction and
 46 changes of textbooks and apparatus, shall be made by the superintendent with the approval of the
 47 board. All appointments and promotions of teachers and all other employees shall be made upon the
 48 basis of merit, to be ascertained, as far as practicable, in cases of appointment, by examination, and
 49 in cases of promotion, by length and character of service. Examinations for appointment shall be

1 conducted by the superintendent under regulations to be made by the board. [~~He~~] The
2 superintendent shall make such reports to the board that it directs or the rules provide.

3 3. The superintendent of schools shall have general supervision, subject to policies
4 established by the board, of all school buildings, apparatus, equipment and school grounds and of
5 their construction, installation, operation, repair, care and maintenance; the purchasing of all
6 supplies and equipment; the operation of the school lunchrooms; the administration of examinations
7 for the appointment and promotion of all employees of the school system; and the preparation and
8 administration of the annual budget for the school system. Subject to the approval of the board of
9 education as to number and salaries, the superintendent may appoint as many employees as are
10 necessary for the proper performance of [~~his~~] the superintendent's duties.

11 4. The board may grant a leave of absence to the superintendent of schools, and may remove
12 [~~him~~] the superintendent from office by vote of a majority of its members.

13 5. [~~Should~~] If the superintendent [~~hire~~] hires a commissioner of school buildings, [~~said~~] such
14 person shall be a person qualified by reason of education, experience and general familiarity with
15 buildings and personnel to assume the following responsibilities and duties. Subject to the control
16 of the superintendent of schools, [~~he~~] the commissioner shall exercise supervision over all school
17 buildings, machinery, heating systems, equipment, school grounds and other buildings and premises
18 of the board of education and the construction, installation, operation, repair, care and maintenance
19 related thereto and the personnel connected therewith[;] and over the purchasing of building
20 supplies and equipment and such other duties as may be assigned to [~~him~~] the commissioner by
21 board rules or regulations."; and

22
23 Further amend said bill by amending the title, enacting clause, and intersectional references
24 accordingly.