

FIRST REGULAR SESSION

# HOUSE BILL NO. 1133

101ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE BLACK (7).

1415H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal sections 168.500 and 168.515, RSMo, and to enact in lieu thereof two new sections relating to teacher career plans.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 168.500 and 168.515, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 168.500 and 168.515, to read as follows:

168.500. 1. For the purpose of providing career pay, which shall be a salary supplement, for public school teachers, which for the purpose of sections 168.500 to 168.515 shall include classroom teachers, librarians, school counselors and certificated teachers who hold positions as school psychological examiners, parents as teachers educators, school psychologists, special education diagnosticians and speech pathologists, and are on the district salary schedule, there is hereby created and established a career advancement program which shall be known as the "Missouri Career Development and Teacher Excellence Plan", hereinafter known as the "career plan or program". Participation by local school districts in the career advancement program established under this section shall be voluntary. The career advancement program is a matching fund program. The general assembly may make an annual appropriation to the excellence in education fund established under section 160.268 for the purpose of providing the state's portion for the career advancement program. The "Career Ladder Forward Funding Fund" is hereby established in the state treasury. Beginning with fiscal year 1998 and until the career ladder forward funding fund is terminated pursuant to this subsection, the general assembly may appropriate funds to the career ladder forward funding fund. Notwithstanding the provisions of section 33.080 to the contrary, moneys in the fund shall not be transferred to the credit of the general revenue fund at the end of the biennium. All interest or other gain received from

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 investment of moneys in the fund shall be credited to the fund. All funds deposited in the fund  
19 shall be maintained in the fund until such time as the balance in the fund at the end of the fiscal  
20 year is equal to or greater than the appropriation for the career ladder program for the following  
21 year, at which time all such revenues shall be used to fund, in advance, the career ladder program  
22 for such following year and the career ladder forward funding fund shall thereafter be terminated.

23 2. The department of elementary and secondary education, at the direction of the  
24 commissioner of education, shall study and develop model career plans which shall be made  
25 available to the local school districts. These state model career plans shall:

26 (1) Contain three steps or stages of career advancement;

27 (2) Contain a detailed procedure for the admission of teachers to the career program;

28 (3) Contain specific criteria for career step qualifications and attainment. These criteria  
29 shall clearly describe the minimum number of professional responsibilities required of the  
30 teacher at each stage of the plan and shall include reference to classroom performance  
31 evaluations performed pursuant to section 168.128;

32 (4) Be consistent with the teacher certification process recommended by the Missouri  
33 advisory council of certification for educators and adopted by the department of elementary and  
34 secondary education;

35 (5) Provide that public school teachers in Missouri shall become eligible to apply for  
36 admission to the career plans adopted under sections 168.500 to 168.515 after five years of  
37 public school teaching in Missouri. All teachers seeking admission to any career plan shall, as  
38 a minimum, meet the requirements necessary to obtain the first renewable professional certificate  
39 as provided in section 168.021;

40 (6) Provide procedures for appealing decisions made under career plans established  
41 under sections 168.500 to 168.515.

42 3. **School district career plans shall recognize additional responsibilities and**  
43 **volunteer efforts by teachers in formulating criteria for career ladder admission and stage**  
44 **achievement. Such additional responsibilities and volunteer efforts shall be required to**  
45 **occur outside of compensated hours and may include, but shall not be limited to:**

46 (1) **Serving as a coach, supervisor, or organizer for any extracurricular activity for**  
47 **which the teacher does not already receive additional compensation;**

48 (2) **Serving as a mentor for students, whether in a formal or informal capacity;**

49 (3) **Receiving additional teacher training or certification outside of that offered by**  
50 **the school district;**

51 (4) **Serving as a tutor or providing additional learning opportunities to students;**

52 **and**

53           **(5) Assisting students with college preparation including, but not limited to,**  
54 **teaching an ACT or SAT preparation course or assisting students with completing college**  
55 **admission or financial assistance applications.**

56           **4.** The commissioner of education shall cause the department of elementary and  
57 secondary education to establish guidelines for all career plans established under this section, and  
58 criteria that must be met by any school district which seeks funding for its career plan.

59           ~~[4-]~~ **5.** A participating local school district may have the option of implementing a career  
60 plan developed by the department of elementary and secondary education or a local plan which  
61 has been developed with advice from teachers employed by the district and which has met with  
62 the approval of the department of elementary and secondary education. In approving local career  
63 plans, the department of elementary and secondary education may consider provisions in the plan  
64 of the local district for recognition of teacher mobility from one district to another within this  
65 state.

66           ~~[5-]~~ **6.** The career plans of local school districts shall not discriminate on the basis of  
67 race, sex, religion, national origin, color, creed, or age. Participation in the career plan of a local  
68 school district is optional, and any teacher who declines to participate shall not be penalized in  
69 any way.

70           ~~[6-]~~ **7.** In order to receive funds under this section, a school district which is not subject  
71 to section 162.920 must have a total levy for operating purposes which is in excess of the amount  
72 allowed in Section 11(b) of Article X of the Missouri Constitution; and a school district which  
73 is subject to section 162.920 must have a total levy for operating purposes which is equal to or  
74 in excess of twenty-five cents on each hundred dollars of assessed valuation.

75           ~~[7-]~~ **8.** The commissioner of education shall cause the department of elementary and  
76 secondary education to regard a speech pathologist who holds both a valid certificate of license  
77 to teach and a certificate of clinical competence to have fulfilled the standards required to be  
78 placed on stage III of the career program, provided that such speech pathologist has been  
79 employed by a public school in Missouri for at least five years and is approved for placement at  
80 such stage III by the local school district.

81           ~~[8-]~~ **9.** Beginning in fiscal year 2012, the state portion of career ladder payments shall  
82 only be made available to local school districts if the general assembly makes an appropriation  
83 for such program. Payments authorized under sections 168.500 to 168.515 shall only be made  
84 available in a year for which a state appropriation is made. Any state appropriation shall be  
85 made prospectively in relation to the year in which work under the program is performed.

86           ~~[9-]~~ **10.** Nothing in this section shall be construed to prohibit a local school district from  
87 funding the program for its teachers for work performed in years for which no state appropriation  
88 is made available.

168.515. 1. Each teacher selected to participate in a career plan established under sections 168.500 to 168.515, who meets the requirements of such plan, may receive a salary supplement, the state's share of which shall be distributed under section 163.031, equal to the following amounts applied to the career ladder entitlement of section 163.031:

(1) Career stage I teachers may receive up to an additional one thousand five hundred dollars per school year;

(2) Career stage II teachers may receive up to an additional three thousand dollars per school year;

(3) Career stage III teachers may receive up to an additional five thousand dollars per school year. All teachers within each stage within the same school district shall receive equal salary supplements.

2. The state may make payments pursuant to section 163.031 to the local school district for the purpose of providing funding to the local school district for the payment of any salary supplements provided for in this section, subject to the availability of funds as appropriated each year and distributed on a matching basis where the percentage of state funding shall be ~~forty~~ **sixty** percent and the percentage of local funding shall be ~~sixty~~ **forty** percent.

3. Not less than every fourth year, beginning with calendar year 1988, the general assembly, through the joint committee established under section 160.254, shall review the amount of the career pay provided for in this section to determine if any increases are necessary to reflect the increases in the cost of living which have occurred since the salary supplements were last reviewed or set.

4. To participate in the salary supplement program established under this section, a school district may submit to the voters of the district a proposition to increase taxes for this purpose. If a school district's current tax rate ceiling is at or above the rate from which an increase would require a two-thirds majority, the school board may submit to the voters of the district a proposition to reduce or eliminate the amount of the levy reduction resulting from section 164.013. If a majority of the voters voting thereon vote in favor of the proposition, the board may certify that seventy-five percent of the revenue generated from this source shall be used to implement the salary supplement program established under this section.

5. In no case shall a school district use state funds received under this section nor local revenue generated from a tax established under subsection 4 of this section to comply with the minimum salary requirements for teachers established pursuant to section 163.172.

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