

HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 1323

AN ACT

2 To repeal sections 160.254 and 169.596, RSMo,
3 and to enact in lieu thereof two new sections
4 relating to elementary and secondary
5 education.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
7 AS FOLLOWS:

8 Section A. Sections 160.254 and 169.596, RSMo, are repealed
9 and two new sections enacted in lieu thereof, to be known as
10 sections 160.254 and 169.596, to read as follows:

11 160.254. 1. There is hereby established a joint committee
12 of the general assembly, which shall be known as the "Joint
13 Committee on Education", which shall be composed of ~~five~~ seven
14 members of the senate and ~~five~~ seven members of the house of
15 representatives. The senate members of the committee shall be
16 appointed by the president pro tem of the senate and the house
17 members by the speaker of the house.

18 2. The committee ~~shall only~~ may meet and function in ~~the~~
19 year 1988 and each fourth year thereafter. Members shall be
20 appointed on the first day of the legislative session in January

1 of every year in which the committee is to meet and function, and
2 shall serve for a period of not less than six months nor more
3 than one year] any year that the president pro tem of the senate
4 and the speaker of the house of representatives appoint members
5 to serve on the committee. In the event of three consecutive
6 absences on the part of any member, such member may be removed
7 from the committee.

8 3. The committee shall [be first convened ten days after
9 its appointment and shall] select either a chairman or
10 cochairmen, one of whom shall be a member of the senate and one a
11 member of the house. A majority of the members shall constitute
12 a quorum. Meetings of the committee may be called at such time
13 and place as the chairman or chairmen designate.

14 4. The committee shall:

15 (1) Review and monitor the progress of education in the
16 state's public schools;

17 (2) Receive reports from the commissioner of education
18 concerning the public schools;

19 (3) Conduct a study and analysis of the public school
20 system;

21 (4) Make recommendations to the general assembly for
22 legislative action; and

23 (5) Conduct an in-depth study concerning all issues
24 relating to the equity and adequacy of the distribution of state
25 school aid, teachers' salaries, funding for school buildings, and

1 overall funding levels for schools and any other education
2 funding-related issues the committee deems relevant.

3 5. The committee may make reasonable requests for staff
4 assistance from the research and appropriations staffs of the
5 house and senate and the committee on legislative research, as
6 well as the department of elementary and secondary education
7 [and], the department of higher education, the coordinating board
8 for higher education, the state tax commission, all school
9 districts and other political subdivisions of this state,
10 teachers and teacher groups, business and other commercial
11 interests and any other interested persons.

12 6. Members of the committee shall receive no compensation
13 but may be reimbursed for reasonable and necessary expenses
14 associated with the performance of their official duties.

15 169.596. 1. Notwithstanding any other provision of this
16 chapter to the contrary, a retired certificated teacher receiving
17 a retirement benefit from the retirement system established
18 pursuant to sections 169.010 to 169.141 may, without losing his
19 or her retirement benefit, teach full time for up to two years
20 for a school district covered by such retirement system; provided
21 that the school district has a shortage of certified teachers, as
22 determined by the school district, and provided that no such
23 retired certificated teacher shall be employed pursuant to this
24 section as a superintendent unless the district has a shortage of
25 superintendents, as determined by both the school district and

1 the state board of education. The total number of such retired
2 certificated teachers shall not exceed, at any one time, the
3 lesser of ten percent of the total teacher staff for that school
4 district, or five certificated teachers.

5 2. Notwithstanding any other provision of this chapter to
6 the contrary, a person receiving a retirement benefit from the
7 retirement system established pursuant to sections 169.010 to
8 169.141 or the retirement system established pursuant to sections
9 169.600 to 169.715 may, without losing his or her retirement
10 benefit, be employed full time as a noncertified employee for up
11 to two years for a school district covered by [such] the
12 retirement system established pursuant to sections 169.600 to
13 169.715; provided that the school district has a shortage of
14 noncertificated employees, as determined by the school district.
15 The total number of such retired noncertificated employees shall
16 not exceed, at any one time, the lesser of ten percent of the
17 total noncertificated staff for that school district, or five
18 employees.

19 3. The employer's contribution rate shall be paid by the
20 hiring school district.

21 4. In order to hire teachers and noncertificated employees
22 pursuant to the provisions of this section, the school district
23 shall:

24 (1) Show a good faith effort to fill positions with
25 nonretired certificated teachers or nonretired noncertificated

1 employees;

2 (2) Post the vacancy for at least one month;

3 (3) Have not offered early retirement incentives for either
4 of the previous two years;

5 (4) Solicit applications through the local newspaper, other
6 media, or teacher education programs;

7 (5) Determine there is an insufficient number of eligible
8 applicants for the advertised position; and

9 (6) Declare a critical shortage of certificated teachers or
10 noncertificated employees that is active for one year.

11 5. Any person hired pursuant to this section shall be
12 included in the State Director of New Hires for purposes of
13 income and eligibility verification pursuant to 42 U.S.C. Section
14 1320b-7.