

FIRST REGULAR SESSION

# HOUSE BILL NO. 1223

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES CUNNINGHAM (86) (Sponsor) AND NIEVES (Co-sponsor).

Read 1st time March 29, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

2558L.02I

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### AN ACT

To repeal section 160.540, RSMo, and to enact in lieu thereof one new section relating to teacher tenure.

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

Section A. Section 160.540, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 160.540, to read as follows:

160.540. 1. In any school district [whose graduation rate, as defined in section 160.011, is below sixty-five percent], the district school board **or other governing entity** shall determine which schools in the district **do not** meet the criteria set forth [pursuant to section 160.538 as being academically deficient] **for full accreditation**, based on the results of the assessment system developed pursuant to section 160.518, whether or not the state board of education has made a finding that the [schools are academically deficient] **district as a whole has been determined to be unaccredited or provisionally accredited for purposes of its annual performance report or full accreditation review**. With respect to any such school, notwithstanding any provision of state law or regulation, district rule or regulation, or contract, the school district board **or other governing entity** shall have the authority to suspend or terminate contracts of certificated staff, the principal and any administrators having responsibility for the school and to reconstitute the school with new teachers and administrative staff. The authority granted herein shall not preclude the district board **or other governing entity** from offering contracts to individual teachers or administrators as the board **or other governing entity** may deem appropriate. Any termination of a contract of an individual permanent teacher

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.

16 pursuant to this section [shall be subject to the procedures of sections 168.114 to 168.120,  
17 RSMo, or section 168.221, RSMo, whichever is applicable to such contract] **may be rescinded**  
18 **upon a determination that the teacher has contributed at least one grade level to the class**  
19 **on the basis of a value-added assessment.**

20       2. In any school district subject to the provisions of subsection 1 of this section, the  
21 district shall develop a program of incentives and rewards for teachers who contribute to a  
22 successful effort to prevent schools from becoming [academically deficient as defined in this  
23 section] **provisionally accredited or unaccredited on the annual performance report** or to  
24 remove schools that have been so identified from that category. The district's plan shall be  
25 subject to approval by the commissioner of education and may include, but shall not be limited  
26 to, [bonuses] **pay for performance**, opportunities for staff development and the granting of  
27 status as master teachers.

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