

FIRST REGULAR SESSION

HOUSE BILL NO. 1281

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES STREAM (Sponsor), JETTON, STEVENSON, WALLACE, WILSON (130), FARES, BOWMAN, COX, MUNZLINGER, PEARCE, FUNDERBURK, RUZICKA, JONES (117), ICET, RICHARD, HOBBS, GUEST, MOORE, TILLEY, SILVEY, FAITH, CUNNINGHAM (145), SCHOELLER, SMITH (150), ROBB, SCHARNHORST, FISHER, THOMSON, COOPER (158), HUBBARD, BROWN (50), CUNNINGHAM (86), EL-AMIN, AVERY, COOPER (120), GRISAMORE, SCHLOTTACH, THRELKELD, WASSON, WETER, BIVINS, BAKER (123), KRAUS, POLLOCK, FRANZ, RUESTMAN AND SCHAD (Co-sponsors).

Read 1st time March 30, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

2715L.02I

AN ACT

To repeal sections 160.011, 162.581, 162.601, 162.621, 162.1100, 168.211, 168.261, and 168.291, RSMo, and to enact in lieu thereof nine new sections relating to the establishment of metropolitan successor and metro school districts.

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

Section A. Sections 160.011, 162.581, 162.601, 162.621, 162.1100, 168.211, 168.261, 2 and 168.291, RSMo, are repealed and nine new sections enacted in lieu thereof, to be known as 3 sections 160.011, 162.581, 162.601, 162.621, 162.1100, 162.1105, 162.1107, 168.211, and 4 168.291, to read as follows:

160.011. As used in chapters 160, 161, 162, 163, 164, 165, 167, 168, 170, 171, 177 and 2 178, RSMo, the following terms mean:

3 (1) "District" or "school district", when used alone, may include seven-director, urban, 4 [and] metropolitan, **metropolitan successor, or metro** school districts;

5 (2) "Elementary school", a public school giving instruction in a grade or grades not 6 higher than the eighth grade;

7 (3) "Family literacy programs", services of sufficient intensity in terms of hours, and of 8 sufficient duration, to make sustainable changes in families that include:

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.

- 9 (a) Interactive literacy activities between parents and their children;
- 10 (b) Training of parents regarding how to be the primary teacher of their children and full
11 partners in the education of their children;
- 12 (c) Parent literacy training that leads to high school completion and economic self
13 sufficiency; and
- 14 (d) An age-appropriate education to prepare children of all ages for success in school;
- 15 (4) "Graduation rate", the quotient of the number of graduates in the current year as of
16 June thirtieth divided by the sum of the number of graduates in the current year as of June
17 thirtieth plus the number of twelfth graders who dropped out in the current year plus the number
18 of eleventh graders who dropped out in the preceding year plus the number of tenth graders who
19 dropped out in the second preceding year plus the number of ninth graders who dropped out in
20 the third preceding year;
- 21 (5) "High school", a public school giving instruction in a grade or grades not lower than
22 the ninth nor higher than the twelfth grade;
- 23 (6) "Metropolitan school district", any school district the boundaries of which are
24 coterminous with the limits of any city which is not within a county;
- 25 (7) **"Metropolitan successor district", the district created under section 162.1105,**
26 **RSMo, after voter approval of the plan developed by the special administrative board of**
27 **the transitional district under section 162.1100, RSMo;**
- 28 (8) **"Metro district", one of the constituent districts into which the former**
29 **metropolitan school district is divided under section 162.1105, RSMo;**
- 30 (9) "Public school" includes all elementary and high schools operated at public expense;
- 31 [(8)] (10) "School board", the board of education having general control of the property
32 and affairs of any school district;
- 33 [(9)] (11) "School term", a minimum of one hundred seventy-four school days, as that
34 term is defined in section 160.041, and one thousand forty-four hours of actual pupil attendance
35 as scheduled by the board pursuant to section 171.031, RSMo, during a twelve-month period in
36 which the academic instruction of pupils is actually and regularly carried on for a group of
37 students in the public schools of any school district. A "school term" may be within a school
38 year or may consist of parts of two consecutive school years, but does not include summer
39 school. A district may choose to operate two or more terms for different groups of children;
- 40 [(10)] (12) "Secretary", the secretary of the board of a school district;
- 41 [(11)] (13) "Seven-director district", any school district which has seven directors and
42 includes **metro districts and** urban districts regardless of the number of directors an urban
43 district may have unless otherwise provided by law;

44 [(12)] (14) "Taxpayer", any individual who has paid taxes to the state or any subdivision
45 thereof within the immediately preceding twelve-month period or the spouse of such individual;
46 [(13)] (15) "Town", any town or village, whether or not incorporated, the plat of which
47 has been filed in the office of the recorder of deeds of the county in which it is situated;
48 [(14)] (16) "Urban school district", any district which includes more than half of the
49 population or land area of any city which has not less than seventy thousand inhabitants, other
50 than a city which is not within a county.

162.581. 1. The members of the board of education shall be elected **at large** from the
2 [city, as provided in section 162.601,] **metro district** on a general ticket, and shall be at least
3 twenty-four years of age, citizens and residents of the city, and shall have been residents and
4 citizens for at least [three years] **one year** immediately preceding their election. They shall not
5 hold any **other** office, except that of notary public, in the city or state, nor be interested in any
6 contract with or claim against the board, either directly or indirectly. If at any time after the
7 election of any member of the board he becomes interested in any contract with or claim against
8 the board, either directly or indirectly, or as agent or employee of any individual, firm or
9 corporation, which is so interested, he shall thereupon be disqualified to continue as a member
10 of the board, and shall continue to be so disqualified during the remainder of the term for which
11 he was elected. **The one-third of the initial board members receiving the most votes shall**
12 **be elected to positions having a term of three years. The one-third of initial board**
13 **members receiving the next highest number of votes shall be elected to positions having a**
14 **term of two years. The lowest one-third of initial board members receiving sufficient votes**
15 **shall be elected to positions having a term of one year. Each initial board member shall**
16 **serve the term to which he or she was elected, and until a successor is duly elected and**
17 **qualified. Successor members shall be elected in the same manner as the initial board**
18 **members. Each successor member shall serve a three-year term.**

19 2. Every member of the board, before assuming the duties of his office, shall take oath
20 before a circuit or associate circuit judge of the city, which oath shall be kept of record in the
21 office of the board, that he possesses all the qualifications required by this section, and that he
22 will not, while serving as a member of the board, become interested in any contract with or claim
23 against the board, directly or indirectly, or as agent or employee of any individual, firm or
24 corporation which is so interested, and that he will not be influenced, during his term of office,
25 by any consideration except that of merit and fitness in the appointment of officers and the
26 engagement of employees.

27 3. No compensation shall be paid to the members of the board, but they are exempt from
28 service as election officers during the term of office.

162.601. 1. Elected members of the **metropolitan district** board in office on August 28, [1998] **2007**, shall hold office for the length of term for which they were elected, and any members appointed pursuant to section 162.611 to fill vacancies left by elected members in office on August 28, [1998] **2007**, shall serve for the remainder of the term to which the replaced member was elected **until the establishment of the metropolitan successor district and metro districts.**

2. No board members shall be elected [at the first municipal election in an odd-numbered year next following August 28, 1998] **by the public after April 2007.**

[3. Three board members shall be elected at the second municipal election in an odd-numbered year next following August 28, 1998, to serve four-year terms.

4. Four board members shall be elected at the third municipal election in an odd-numbered year next following August 28, 1998, and two of such members shall be elected to four-year terms and two of such members shall be elected to three-year terms. For the two members elected at the municipal election in 2006, the terms of such members shall expire after their successors are elected and qualified pursuant to subsection 6 of this section.

5. Beginning with the fourth municipal election in an odd-numbered year next following August 28, 1998, and at each succeeding municipal election in a year during which board member terms expire, there shall be elected members of the board of education, who shall assume the duties of their office at the first regular meeting of the board of education after their election, and who shall hold office for four years, and until their successors are elected and qualified.

6. For the two board members who are elected at the municipal election in 2006, their successors thereafter shall be elected at the general election in the year in which their terms expire.

7. Members of the board of directors shall be elected to represent seven subdistricts. The subdistricts shall be established by the state board of education to be compact, contiguous and as nearly equal in population as practicable. The subdistricts shall be revised by the state board of education after each decennial census and at any other time the state board determines that the district's demographics have changed sufficiently to warrant redistricting.

8. A member shall reside in and be elected in the subdistrict which the member is elected to represent. Subdistrict 1 shall be comprised of wards 1, 2, 22 and 27. Subdistrict 2 shall be comprised of wards 3, 4, 5 and 21. Subdistrict 3 shall be comprised of wards 18, 19, 20 and 26. Subdistrict 4 shall be comprised of wards 6, 7, 17 and 28. Subdistrict 5 shall be comprised of wards 9, 10, 11 and 12. Subdistrict 6 shall be comprised of wards 13, 14, 16 and 25. Subdistrict 7 shall be comprised of wards 8, 15, 23 and 24.]

162.621. 1. **Upon the establishment of the metropolitan successor school district,**
2 the board of education **of each metro district** shall have general and supervising control,
3 government and management of the public schools and public school property of the district in
4 the city **assigned to that metro district** and shall exercise generally all powers in the
5 administration of the public school system [therein] **in that district**. The board of education has
6 all the powers of other school districts under the laws of this state except as herein provided and
7 shall perform all duties required by general laws of school districts so far as they are applicable
8 to the public school affairs of the [city] **metro districts** and are consistent with this law. It shall
9 appoint the officers, agents and employees it deems necessary and proper and fix their
10 compensation. The board of education may:

11 (1) Make, amend and repeal rules and bylaws for its meetings and proceedings, for the
12 government, regulation and management of the public schools and school property in the [city]
13 **metro district**, for the transaction of its business[, and the examination, qualification and
14 employment of teachers], which rules and bylaws are binding on the board of education and all
15 parties dealing with it until formally repealed;

16 (2) Fix the time of its meetings;

17 (3) Provide for special and standing committees;

18 (4) Levy taxes authorized by law for school purposes **through its governing council as**
19 **provided in section 162.1105;**

20 (5) [Invest the funds of the district;

21 (6)] Purchase and hold all property, real and personal, deemed by [it] **the governing**
22 **council** necessary for the purposes of public education[;

23 (7) Build and construct improvements for such purposes, and sell the same;

24 (8) Provide for the gratuitous transportation of pupils to and from schools in cases where
25 by reason of special circumstances pupils are required to attend schools at unusual distances from
26 their residences].

27 2. Except as otherwise provided in this subsection, the powers granted in subsection 1
28 of this section shall be vested, in the manner provided in section 162.1100, in the special
29 administrative board of the transitional school district containing the city not within a county if
30 the school district loses its accreditation from the state board of education. Thereafter, such
31 powers shall [immediately] revert to the board of directors of the school district for any period
32 of time for which no transitional school district containing the city not within a county is in
33 existence. The board of directors of the school district shall, at all times, retain auditing and
34 public reporting powers.

162.1100. 1. There is hereby established within each city not within a county a school
2 district to be known as the "Transitional School District of (name of city)", which shall be a body

3 corporate and politic and a subdivision of the state. The transitional school district shall be
4 coterminous with the boundaries of the city in which the district is located. Except as otherwise
5 provided in this section and section 162.621, the transitional school district shall be subject to
6 all laws pertaining to "seven-director districts", as defined in section 160.011, RSMo. The
7 transitional school district shall have the responsibility for educational programs and policies
8 determined by a final judgment of a federal school desegregation case to be needed in providing
9 for a transition of the educational system of the city from control and jurisdiction of a federal
10 court school desegregation order, decree or agreement and such other programs and policies as
11 designated by the governing body of the school district.

12 2. (1) The governing board of the transitional school district shall consist of three
13 residents of the district: one shall be appointed by the governing body of the district, one shall
14 be appointed by the mayor of the city not within a county and one shall be appointed by the
15 president of the board of aldermen of the city not within a county. The members of the
16 governing board shall serve without compensation for a term of three years, or until their
17 successors have been appointed, or until the transitional district is dissolved or terminated. Any
18 tax approved for the transitional district shall be assigned to the governing body of the school
19 district in a city not within a county after dissolution or termination of the transitional district.

20 (2) In the event that the state board of education shall declare the school district of a city
21 not within a county to be unaccredited, the member of the governing board of the transitional
22 district appointed by the governing body of the district as provided in subdivision (1) of this
23 subsection shall, within ninety days, be replaced by a chief executive officer nominated by the
24 state board of education and appointed by the governor with the advice and consent of the senate.
25 The chief executive officer need not be a resident of the district but shall be a person of
26 recognized administrative ability, shall be paid in whole or in part with funds from the district,
27 and shall have all other powers and duties of any other general superintendent of schools,
28 including appointment of staff. The chief executive officer shall serve for a term of three years
29 or until his successor is appointed or until the transitional district is dissolved or terminated. His
30 salary shall be set by the state board of education.

31 3. In the event that the school district loses its accreditation, upon the appointment of a
32 chief executive officer, any powers granted to any existing school board in a city not within a
33 county on or before August 28, 1998, shall be vested with the special administrative board of the
34 transitional school district containing such school district so long as the transitional school
35 district exists, except as otherwise provided in section 162.621.

36 4. The special administrative board's powers and duties shall include:

37 (1) Creating an academic accountability plan, taking corrective action in
38 underperforming schools, and seeking relief from state-mandated programs;

39 (2) Exploration of alternative forms of governance for the district, **including**
40 **development of a plan to divide the transitional district into metro districts, each developed**
41 **around a high school and its feeder middle and elementary schools, but sharing the tax**
42 **base of the metropolitan district. The plan shall offer an odd number of metro districts,**
43 **but no fewer than five, drawn as geographically compact as possible;**

44 (3) Authority to contract with nonprofit corporations to provide for the operation of
45 schools;

46 (4) Oversight of facility planning, construction, improvement, repair, maintenance and
47 rehabilitation;

48 (5) Authority to establish school site councils to facilitate site-based school management
49 and to improve the responsiveness of the schools to the needs of the local geographic attendance
50 region of the school; **and**

51 (6) Authority to submit a proposal to district voters [pursuant to section 162.666
52 regarding establishment of neighborhood schools] **under subdivision (2) of this subsection no**
53 **later than the general election of 2008.**

54 5. (1) The provisions of a final judgment as to the state of Missouri and its officials in
55 a school desegregation case which subjects a district in which a transitional district is located in
56 this state to a federal court's jurisdiction may authorize or require the governing body of a
57 transitional school district established under this section to establish the transitional district's
58 operating levy for school purposes, as defined pursuant to section 163.011, RSMo, at a level not
59 to exceed eighty-five cents per one hundred dollars assessed valuation in the district or a sales
60 tax equivalent amount as determined by the department of elementary and secondary education
61 which may be substituted for all or part of such property tax.

62 (2) Any other statute to the contrary notwithstanding, no tax authorized pursuant to this
63 subsection shall:

64 (a) Be subject to any certificate of tax abatement issued after August 28, 1998, pursuant
65 to sections 99.700 to 99.715, RSMo; and

66 (b) Effective January 1, 2002, be subject to any new or existing tax increment financing
67 adopted by a city not within a county pursuant to sections 99.800 to 99.865, RSMo, except that
68 any redevelopment plan and redevelopment project concerning a convention headquarters hotel
69 adopted by ordinance by a city not within a county prior to August 28, 2003, shall be subject to
70 such tax increment financing.

71 (3) The transitional school district shall not be subject to the provisions of section
72 162.081, sections 163.021 and 163.023, RSMo, with respect to any requirements to maintain a
73 minimum value of operating levy or any consequences provided by law for failure to levy at least
74 such minimum rate. No operating levy or increase in the operating levy or sales tax established

75 pursuant to this section shall be collected for a transitional school district unless prior approval
76 is obtained from a simple majority of the district's voters. The board of the transitional district
77 shall place the matter before the voters prior to March 15, 1999.

78 6. (1) The special administrative board established in this section shall develop,
79 implement, monitor and evaluate a comprehensive school improvement plan, and such plan shall
80 be subject to review and approval of the state board of education. The plan shall ensure that all
81 students meet or exceed grade-level standards established by the state board of education
82 pursuant to section 160.514, RSMo;

83 (2) The special administrative board shall establish student performance standards
84 consistent with the standards established by the state board of education pursuant to section
85 160.514, RSMo, for preschool through grade twelve in all skill and subject areas, subject to
86 review and approval of the state board of education for the purpose of determining whether the
87 standards are consistent with standards established by the state board of education pursuant to
88 section 160.514, RSMo;

89 (3) All students in the district who do not achieve grade-level standards shall be required
90 to attend summer school; except that the provisions of this subsection shall not apply to students
91 receiving special education services pursuant to sections 162.670 to 162.999;

92 (4) [No student shall be promoted to a higher grade level unless that student has a
93 reading ability at or above one grade level below the student's grade level;] **Every student in**
94 **kindergarten through third grade shall be placed in a reading program and a math**
95 **program until the student reaches grade level performance**, except that the provisions of this
96 subsection shall not apply to students receiving special education services pursuant to sections
97 162.670 to 162.999;

98 (5) The special administrative board established in this section shall develop, implement
99 and annually update a professional development plan for teachers and other support staff,
100 **including a performance-based evaluation and assessment program**, subject to review and
101 approval of the state board of education. **The board shall earmark funds for principal**
102 **training to assist in readying principals to be building educational leaders and to accept**
103 **additional administrative responsibility, including the hiring and evaluation of teachers**
104 **and other staff, as the district moves to a decentralized structure.**

105 7. The school improvement plan established pursuant to this section shall ensure open
106 enrollment and program access to all students in the district, and, consistent with the Missouri
107 and United States Constitutions, shall give first priority to residents of the city for admission to
108 magnet schools. The school board shall take all practicable and constitutionally permissible
109 steps to ensure that all magnet schools operate at full capacity. Students who change residence
110 within the district shall be allowed to continue to attend the school in which they were initially

111 enrolled for the remainder of their education at grade levels served by that school, and
112 transportation shall be provided by the district to allow such students to continue to attend such
113 school of initial enrollment.

114 8. To the extent practicable, the special administrative board shall ensure that per pupil
115 expenditures and pupil-teacher ratios shall be the same for all schools serving students at a given
116 grade level. **The special administrative board shall ensure that state aid funds are**
117 **distributed to all metro districts on the same principles that are specified in section**
118 **163.031, RSMo, based on weighted average daily attendance. The special administrative**
119 **board shall earmark funds for literacy and numeracy programs in kindergarten through**
120 **grade three.**

121 9. The special administrative board shall ensure that early childhood education is
122 available throughout the district.

123 10. The special administrative board shall ensure that vocational education instruction
124 is provided within the district. **The board shall earmark funds for alternative schools for the**
125 **purposes set out in section 167.322, RSMo.**

126 11. The special administrative board shall establish an accountability officer whose duty
127 shall be to ensure that academically deficient schools within the district are raised to acceptable
128 condition within two years.

129 12. [The transitional school district in any city not within a county shall be dissolved on
130 July 1, 2008, unless the state board determines, prior to that date, that it is necessary for the
131 transitional district to continue to accomplish the purposes for which it was created.] The state
132 board of education may cause the termination of the transitional school district at any time upon
133 a determination that the transitional district has accomplished the purposes for which it was
134 established and is no longer needed. The state board of education may cause the reestablishment
135 of the transitional school district at any time upon a determination that it is necessary for the
136 transitional district to be reestablished to accomplish the purposes established in this section.
137 The state board of education shall provide notice to the governor and general assembly of the
138 termination or reestablishment of the transitional school district and the termination or
139 reestablishment shall become effective thirty days following such determination. Upon
140 dissolution of a transitional school district pursuant to this section, nothing in this section shall
141 be construed to reduce or eliminate any power or duty of any school district or districts
142 containing the territory of the dissolved transitional school district unless such transitional school
143 district is reestablished by the state board of education pursuant to this section. **Upon the**
144 **dissolution of the transitional district because of the approval of the special administrative**
145 **board's plan to divide the district into metro districts, the resulting district shall be known**

146 as the metropolitan successor district, which shall have the powers and duties set out in
147 section 162.1105.

162.1105. 1. The provisions of sections 162.1105 to 162.1107 shall be known as the
2 "St. Louis Neighborhood Schools Improvement Act".

3 2. In the metropolitan successor school district, there is hereby established a
4 "Governing Council" which shall consist of one member of the board of education of each
5 metro school district. The first governing council shall be formed on or before July 1, 2009.
6 Each member of the governing council shall be elected by the board of education of the
7 metro school district on which the member serves. The board of education of a metro
8 school district may elect a new member to the governing council to fill a vacancy from that
9 district and may replace the existing metro district member on the governing council at any
10 time, upon providing written notice of the change to the secretary of the governing council.

11 3. The governing council of the metropolitan successor school district shall have the
12 following powers and duties:

13 (1) To establish such rules and procedures as may be necessary to carry out its
14 powers and duties as provided in this section;

15 (2) To elect a chairperson, a secretary, and such other officers as it deems
16 necessary;

17 (3) To review and give final approval of the annual budget of the metropolitan
18 successor school district subject to the following provisions:

19 (a) For the 2009-2010, 2010-2011, and 2011-2012 school years, the boards of
20 education of the metro districts shall submit their proposed budget to the governing council
21 no later than April first prior to the beginning of the school year. The governing council
22 shall then either accept this budget proposal or make any amendments it deems
23 appropriate and adopt the annual budget as amended no later than sixty days after receipt
24 of the proposed budget;

25 (b) For the 2012-2013 school year and each school year thereafter:

26 a. The board of education of a metropolitan successor school district shall develop,
27 in cooperation with the governing council, its annual budget which shall, following
28 adoption by the board, be submitted to the governing council no later than April first prior
29 to the beginning of the school year for final approval;

30 b. The governing council shall accept or reject the proposed budget by May first
31 prior to the beginning of the school year. If rejected, the proposed budget shall be
32 returned to the board of education no later than May first with a statement setting forth
33 the reasons for the rejection;

34 c. The governing council and the board of education shall resolve any differences
35 regarding approval of the budget by June thirtieth prior to the beginning of the school
36 year;

37 (4) To review annually, conduct public hearings on, and approve a rolling five-year
38 plan for the operation and management of the district which shall be annually developed
39 by the board of education of the metropolitan successor school district. The plan shall
40 contain, but not be limited to, the following:

41 (a) The delivery of services;

42 (b) The structure, governance, administration and financial management of the
43 district;

44 (c) Cooperation with component metro school districts; and

45 (d) Responsiveness to the needs and concerns of the citizens of the metropolitan
46 successor school district.

47

48 The plan shall be first approved by the governing council on or before December 31, 2008,
49 and shall be reviewed and approved annually on or before December thirty-first of each
50 following year;

51 (5) To consult with the parental advisory committee established in section 162.1107;

52 (6) To hold at least four meetings per school year and such other meetings, called
53 by the chair of the council, as may be necessary to transact business and fulfill the duties
54 established under this section. All meetings of the governing council shall be open to the
55 public, under chapter 610, RSMo. Minutes shall be kept of all proceedings and shall be
56 a public record;

57 (7) To coordinate the tax base and other resources of the successor district.

162.1107. 1. (1) On or before July 1, 2013, and every four years thereafter, a
2 public review committee shall be appointed to conduct a thorough review of the
3 metropolitan successor district including the structure, governance, administration,
4 financial management, delivery of services, cooperation with component school districts,
5 and responsiveness to the needs and concerns of the citizens of the district. The committee
6 shall investigate, document, and determine the validity or invalidity to the extent possible
7 of allegations relating to these matters. Any such allegation shall be addressed in writing
8 and shall be delivered to the governing council and metro school board for resolution, as
9 required. The committee shall consist of three members appointed by the commissioner
10 of education, three members appointed by the governing council of the metropolitan
11 successor district and three members appointed by the parental advisory committee
12 established in this section. All members of the public review committee shall be registered

13 voters of the metropolitan successor district who have resided within the state for one year
14 next preceding the appointment of the committee and who are at least twenty-four years
15 of age. The committee may hold public hearings and gather information and shall make
16 recommendations based upon factual findings.

17 (2) No later than July first of the year following the year in which the committee
18 is appointed, the committee shall complete its review and submit a report containing its
19 findings and recommendations to the board of education of each metro school district, the
20 governing council, and the general assembly, and the report shall be made available to the
21 public upon request. The department of elementary and secondary education shall provide
22 staff resources to assist in the review, and the district budget shall provide sufficient
23 resources, including staff and consultants, upon request of the public review committee.

24 (3) The public review committee may propose, if needed, a revised structure of the
25 metropolitan successor district, or a revised structure for the selection of the members of
26 the governing council of the district, or both, and may cause the election authority to place
27 such proposal before the voters of the metropolitan successor district for approval and
28 adoption, and any such issue shall become effective thirty days after approval and adoption
29 by the voters of the district or on such other, later date as provided in the issue placed
30 before the voters. Any such issue shall be proposed no later than July first of the year
31 following the year in which the committee is appointed, and the issue shall be submitted
32 to the voters on the first Tuesday after the first Monday in November in the year following
33 the year in which the committee is appointed in the manner provided under chapter 115,
34 RSMo.

35 2. There is hereby established a "Parental Advisory Committee" which shall
36 consult with the governing council and the boards of education of metro districts on issues
37 involving pupils or parents of pupils of the district. The governing council shall establish
38 a process for selection of the members of the parental advisory committee which shall
39 provide for members to be independently selected by parents of pupils of the metropolitan
40 successor district.

168.211. 1. In [metropolitan] **metro** districts the superintendent of schools shall be
2 appointed by the board of education for a term of [one to] **no more than** five years[, during
3 which term his compensation shall not be reduced. The superintendent of schools may appoint,
4 with the approval of the board, a treasurer, a commissioner of school buildings and he shall serve
5 at the pleasure of the superintendent of schools and as many associate and assistant
6 superintendents as he deems necessary, whose compensation shall be fixed by the board. The
7 superintendent of schools shall give bond in the sum that the board requires but not less than fifty
8 thousand dollars]. No employee or agent of the board shall be a member of the board.

9 2. The superintendent of schools shall have general supervision, subject to policies
10 established by the board, of the school system, including its [various departments and physical
11 properties,] courses of instruction, discipline and conduct of the schools, textbooks and studies.
12 All appointments, promotions and transfers of teachers and all other employees, and introduction
13 and changes of textbooks and apparatus, shall be [made by the superintendent with the approval
14 of the board] **upon the initial recommendation of the principal of the building to which the**
15 **teacher or employee is assigned, and the approval of the superintendent.** All appointments
16 and promotions of teachers and all other employees shall be made upon the basis of merit[, to
17 be ascertained, as far as practicable, in cases of appointment, by examination, and in cases of
18 promotion, by length and character of service. Examinations for appointment shall be conducted
19 by the superintendent under regulations to be made by the board. He shall make such reports to
20 the board that it directs or the rules provide]. **The superintendent shall hire the**
21 **administrative staff.**

22 [3. The superintendent of schools shall have general supervision, subject to policies
23 established by the board, of all school buildings, apparatus, equipment and school grounds and
24 of their construction, installation, operation, repair, care and maintenance; the purchasing of all
25 supplies and equipment; the operation of the school lunchrooms; the administration of
26 examinations for the appointment and promotion of all employees of the school system; and the
27 preparation and administration of the annual budget for the school system. Subject to the
28 approval of the board of education as to number and salaries, the superintendent may appoint as
29 many employees as are necessary for the proper performance of his duties.

30 4. The board may grant a leave of absence to the superintendent of schools, and may
31 remove him from office by vote of a majority of its members.

32 5. Should the superintendent hire a commissioner of school buildings, said person shall
33 be a person qualified by reason of education, experience and general familiarity with buildings
34 and personnel to assume the following responsibilities and duties. Subject to the control of the
35 superintendent of schools, he shall exercise supervision over all school buildings, machinery,
36 heating systems, equipment, school grounds and other buildings and premises of the board of
37 education and the construction, installation, operation, repair, care and maintenance related
38 thereto and the personnel connected therewith; the purchasing of building supplies and
39 equipment and such other duties as may be assigned to him by board rules or regulations.]

168.291. Whenever it is necessary to decrease the number of employees because of
2 insufficient funds or decrease in pupil enrollment or lack of work the board of education may
3 cause the necessary number of employees, beginning with those serving probationary periods,
4 to be placed on leave of absence without pay[, but only in the inverse order of their appointment.
5 Each employee placed on leave of absence shall be reinstated in inverse order of his placement

6 on leave of absence. Such reemployment shall not result in a loss of status or credit for previous
7 periods of service. No new appointments shall be made while there are available employees on
8 leave of absence who have not attained the age of seventy years and who are adequately qualified
9 to fill the vacancy in the particular department unless the employees fail to advise the board
10 within thirty days from date of notification by the board that positions are available to them, that
11 they will return to employment, and will assume the duties of the position to which they are
12 appointed not later than the beginning of the month following the date of the notice by the
13 board].

2 [168.261. A director of personnel may be appointed by the
3 superintendent of schools subject to the approval of the board of education of the
4 metropolitan school district. The director of personnel shall be a member of a
5 personnel committee representing certificated and noncertificated employees, the
6 committee to be appointed in the manner that the rules of the board of education
provide.]

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