

SECOND REGULAR SESSION

HOUSE BILL NO. 2109

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DIXON (Sponsor), STREAM,
BIVINS AND SCHOELLER (Co-sponsors).

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D. ADAM CRUMBLISS, Chief Clerk

4426L.01I

AN ACT

To repeal sections 160.530, 161.210, and 168.515, RSMo, and to enact in lieu thereof three new sections relating to school district participation in the Baldrige continuous quality improvement program.

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

Section A. Sections 160.530, 161.210, and 168.515, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 160.530, 161.210, and 168.515, to read as follows:

160.530. 1. Beginning with fiscal year 1994 and for all fiscal years thereafter, in order to be eligible for state aid distributed pursuant to section 163.031, RSMo, a school district shall allocate one percent of moneys received pursuant to section 163.031, RSMo, exclusive of categorical add-ons, to the professional development committee of the district as established in subdivision (1) of subsection 4 of section 168.400, RSMo. Of the moneys allocated to the professional development committee in any fiscal year as specified by this subsection, seventy-five percent of such funds shall be spent in the same fiscal year for purposes determined by the professional development committee after consultation with the administrators of the school district and approved by the local board of education as meeting the objectives of a school improvement plan of the district that has been developed by the local board. Moneys expended for staff training pursuant to any provisions of this act shall not be considered in determining requirements for school districts imposed by this subsection.

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.

13 2. Beginning with fiscal year 1994 and for all fiscal years thereafter, eighteen million
14 dollars of the moneys appropriated to the department of elementary and secondary education
15 otherwise distributed to the public schools of the state pursuant to the provisions of section
16 163.031, RSMo, exclusive of categorical add-ons, shall be distributed by the commissioner of
17 education to address statewide areas of critical need for learning and development as determined
18 by rule and regulation of the state board of education with the advice of the commission
19 established by section 160.510 and the advisory council provided by subsection 1 of section
20 168.015, RSMo. The moneys described in this subsection may be distributed by the
21 commissioner of education to colleges, universities, private associations, professional education
22 associations, statewide associations organized for the benefit of members of boards of education,
23 public elementary and secondary schools, and other associations and organizations that provide
24 professional development opportunities for teachers, administrators, family literacy personnel
25 and boards of education for the purpose of addressing statewide areas of critical need, provided
26 that subdivisions (1), (2) and (3) of this subsection shall constitute priority uses for such moneys.
27 "Statewide areas of critical need for learning and development" shall include:

28 (1) Funding the operation of state management teams in districts with academically
29 deficient schools and providing resources specified by the management team as needed in such
30 districts;

31 (2) Funding for grants to districts, upon application to the department of elementary and
32 secondary education, for resources identified as necessary by the district, for those districts which
33 are failing to achieve assessment standards. **Paying application fees for a district
34 participating in the Baldrige continuous quality improvement program shall be a
35 permissible use of grant moneys under this subdivision;**

36 (3) Funding for family literacy programs;

37 (4) Ensuring that all children, especially children at risk, children with special needs, and
38 gifted students are successful in school;

39 (5) Increasing parental involvement in the education of their children;

40 (6) Providing information which will assist public school administrators and teachers
41 in understanding the process of site-based decision making;

42 (7) Implementing recommended curriculum frameworks as outlined in section 160.514;

43 (8) Training in new assessment techniques for students;

44 (9) Cooperating with law enforcement authorities to expand successful antidrug
45 programs for students;

46 (10) Strengthening existing curricula of local school districts to stress drug and alcohol
47 prevention;

48 (11) Implementing and promoting programs to combat gang activity in urban areas of
49 the state;

50 (12) Establishing family schools, whereby such schools adopt proven models of one-stop
51 state services for children and families;

52 (13) Expanding adult literacy services; and

53 (14) Training of members of boards of education in the areas deemed important for the
54 training of effective board members as determined by the state board of education.

55 3. Beginning with fiscal year 1994 and for all fiscal years thereafter, two million dollars
56 of the moneys appropriated to the department of elementary and secondary education otherwise
57 distributed to the public schools of the state pursuant to the provisions of section 163.031,
58 RSMo, exclusive of categorical add-ons, shall be distributed in grant awards by the state board
59 of education, by rule and regulation, for the "Success Leads to Success" grant program, which
60 is hereby created. The purpose of the success leads to success grant program shall be to
61 recognize, disseminate and exchange information about the best professional teaching practices
62 and programs in the state that address student needs, and to encourage the staffs of schools with
63 these practices and programs to develop school-to-school networks to share these practices and
64 programs.

65 4. The department shall include a listing of all expenditures under this section in the
66 annual budget documentation presented to the governor and general assembly.

161.210. 1. Notwithstanding any provision of law to the contrary, the state board of
2 education is hereby granted authority to waive or modify any administrative rule adopted by the
3 state board or policy implemented by the department of elementary and secondary education.
4 School districts may submit applications for a waiver or modification authorized pursuant to this
5 section. Each application shall include a written request by the school district or school districts
6 and shall demonstrate that the intent of the rule or policy can be addressed in a more effective,
7 efficient or economical manner or that the waiver or modification is necessary to implement a
8 specific plan for improved student performance and school improvement. Prior to an application
9 for waiver, the school district shall hold a public hearing regarding such waiver.

10 2. The state board of education may grant waivers or modifications for a school district
11 or school districts that successfully demonstrate the ability to address the intent of the rule or
12 policy in a more effective, efficient or economical manner or when the waivers or modifications
13 are demonstrated to be necessary to stimulate innovation or improve student performance,
14 provided that the waiver or modification is based upon sound educational practices, does not
15 endanger the health and safety of students or staff, and does not compromise equal opportunity
16 for learning. **School districts that participate in the Baldrige continuous quality**
17 **improvement process and successfully exceed benchmarks set by the state board of**

18 **education shall be presumed to have met the above requirement.** Approved waivers or
19 modifications shall remain in effect for a period not to exceed three school years and may be
20 renewed by the state board of education upon application by the school district or school
21 districts.

22 3. This section shall not be construed to allow the state board of education to authorize
23 the waiver of any statutory requirements relating to teacher certification or teacher tenure.

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

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

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

9 (3) Career stage III teachers may receive up to an additional five thousand dollars per
10 school year.

11

12 All teachers within each stage within the same school district shall receive equal salary
13 supplements. **Participation in training to become a Baldrige continuous quality award
14 examiner shall be an approved activity for a career plan.**

15 2. **Notwithstanding provisions of this section to the contrary, in an attendance
16 center that is participating in the Baldrige continuous quality improvement process and
17 successfully meeting or exceeding benchmarks set by the local school district, the district
18 shall not be required to provide a match under this section for teachers participating in the
19 career ladder program.**

20 3. The state shall make payments pursuant to section 163.031, RSMo, to the local school
21 district for the purpose of reimbursing the local school district for the payment of any salary
22 supplements provided for in this section, subject to the availability of funds as appropriated each
23 year and distributed on a variable match formula which shall be based on assessed valuation of
24 the district for the second preceding school year.

25 [3.] 4. In distributing these matching funds, school districts shall be ranked by the
26 assessed valuation for the second preceding school year per weighted average daily attendance
27 from the highest to the lowest and divided into three groups. Group one shall contain the highest
28 twenty-five percent of all public school districts, groups two and three combined shall contain
29 the remaining seventy-five percent of all public school districts. The districts in groups two and
30 three shall be rank-ordered from largest to smallest based on enrollment as of the last Wednesday

31 in September during the second preceding school year, group two shall contain twenty-five
 32 percent of all public school districts that are larger on the enrollment-based rank-ordered list and
 33 group three shall contain the remaining fifty percent of all public school districts. Pursuant to
 34 subsection [4] 5 of this section, districts in group one shall receive forty percent state funding and
 35 shall contribute sixty percent local funding, group two shall receive fifty percent state funding
 36 and shall contribute fifty percent local funding and group three shall receive sixty percent state
 37 funding and shall contribute forty percent local funding.

38 [4.] 5. The incremental groups are as follows:

39		Percentage	Percentage	Percentage
40	Group	of Districts	of State Funding	of Local Funding
41	1	25%	40%	60%
42	2	25%	50%	50%
43	3	50%	60%	40%

44 [5.] 6. Beginning in the 1996-97 school year, any school district in any group which
 45 participated in the career ladder program in 1995-96 and paid less than the local funding
 46 percentage required by subsection [4] 5 of this section shall increase its local share of career
 47 ladder costs by five percentage points from the preceding year until the district pays the
 48 percentage share of cost required by subsection [4] 5 of this section, and in no case shall the local
 49 funding percentage be increased by a greater amount for any year. For any district, the state
 50 payment shall not exceed the local payment times the state percentage share divided by the local
 51 percentage share. Except as provided in subsection [10] 11 of this section, any district not
 52 participating in the 1995-96 school year or any district which interrupts its career ladder program
 53 for any subsequent year shall enter the program on the cost-sharing basis required by subsection
 54 [4] 5 of this section.

55 [6.] 7. Not less than every fourth year, beginning with calendar year 1988, the general
 56 assembly, through the joint committee established under section 160.254, RSMo, shall review
 57 the amount of the career pay provided for in this section to determine if any increases are
 58 necessary to reflect the increases in the cost of living which have occurred since the salary
 59 supplements were last reviewed or set.

60 [7.] 8. To participate in the salary supplement program established under this section,
 61 a school district may submit to the voters of the district a proposition to increase taxes for this
 62 purpose. If a school district's current tax rate ceiling is at or above the rate from which an
 63 increase would require a two-thirds majority, the school board may submit to the voters of the
 64 district a proposition to reduce or eliminate the amount of the levy reduction resulting from
 65 section 164.013, RSMo. If a majority of the voters voting thereon vote in favor of the

66 proposition, the board may certify that seventy-five percent of the revenue generated from this
67 source shall be used to implement the salary supplement program established under this section.

68 [8.] **9.** In no case shall a school district use state funds received under this section nor
69 local revenue generated from a tax established under subsection [7] **8** of this section to comply
70 with the minimum salary requirements for teachers established pursuant to section 163.172,
71 RSMo.

72 [9.] **10.** Beginning in the 1996-97 school year, for any teacher who participated in the
73 career program in the 1995-96 school year, continues to participate in the program thereafter, and
74 remains qualified to receive career pay pursuant to section 168.510, the state's share of the
75 teacher's salary supplement shall continue to be the percentage paid by the state in the 1995-96
76 school year, notwithstanding any provisions of subsection [4] **5** of this section to the contrary,
77 and the state shall continue to pay such percentage of the teacher's salary supplement until any
78 of the following occurs:

79 (1) The teacher ceases his or her participation in the program; or

80 (2) The teacher suspends his or her participation in the program for any school year after
81 the 1995-96 school year. If the teacher later resumes participation in the program, the state
82 funding shall be subject to the provisions of subsection [4] **5** of this section.

83 [10.] **11.** Any school district that participated in the career ladder program prior to the
84 2001-02 school year but ceased its participation at any time from July 1, 2001, to July 1, 2005,
85 may resume participation in the program no later than July 1, 2006, at the same matching level,
86 pursuant to subsections [4] **5** and [5] **6** of this section, for which the district qualified during its
87 last year of participation.

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