

SECOND REGULAR SESSION

HOUSE BILL NO. 1534

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SPENCER.

4750L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 163.172, 168.106, 168.108, and 168.110, RSMo, and to enact in lieu thereof ten new sections relating to conditions of teacher employment.

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

Section A. Sections 163.172, 168.106, 168.108, and 168.110, RSMo, are repealed and
2 ten new sections enacted in lieu thereof, to be known as sections 163.172, 168.106, 168.108,
3 168.110, 168.111, 168.755, 168.757, 168.759, 168.761, and 168.763, to read as follows:

163.172. 1. In school year [1994-95 and thereafter until school year 2006-07, the
2 minimum teacher's salary shall be eighteen thousand dollars. Beginning in school year 2006-07,
3 the minimum teacher's salary shall be twenty-two thousand dollars; in school year 2007-08, the
4 minimum teacher's salary shall be twenty-three thousand dollars; in school year 2008-09, the
5 minimum teacher's salary shall be twenty-four thousand dollars; in school year] 2009-10 [and
6 thereafter] **until school year 2015-16**, the minimum teacher's salary shall be twenty-five
7 thousand dollars. **Beginning in school year 2016-17, the minimum teacher's salary shall be**
8 **twenty-eight thousand dollars.**

9 2. Beginning in the school year [1996-97 until school year 2006-07, for any full-time
10 teacher with a master's degree and at least ten years' teaching experience in a public school or
11 combination of public schools, the minimum salary shall be twenty-four thousand dollars.
12 Beginning in the school year 2006-07, for any full-time teacher with a master's degree in an
13 academic teaching field and at least ten years' teaching experience in a public school or
14 combination of public schools, the minimum salary shall be thirty thousand dollars; in the
15 2007-08 school year such minimum salary shall be thirty-one thousand dollars; in the 2008-09
16 school year such minimum salary shall be thirty-two thousand dollars; and in the] 2009-10

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.

17 [school year such] **and thereafter, the minimum salary for any full-time teacher with a**
18 **master's degree and at least ten years of teaching experience** shall be thirty-three thousand
19 dollars.

20 [2. Beginning with the budget requests for fiscal year 1991,] **3. Each fiscal year** the
21 commissioner of education shall present to the appropriate committees of the general assembly
22 information on the average Missouri teacher's salary, regional average salary data, and national
23 average salary data.

24 [3.] **4.** All school salary information shall be public information.

25 [4.] **5.** As used in this section, the term "salary" shall be defined as the salary figure
26 which appears on the teacher's contract and as determined by the local school district's basic
27 salary schedule [and does not include supplements for extra duties].

28 [5.] **6.** The minimum salary for any fully certificated teacher employed on a less than
29 full-time basis by a school district, state school for the severely handicapped, the Missouri
30 School for the Deaf, or the Missouri School for the Blind shall be prorated [to reflect the
31 amounts provided in subsection 1 of this section].

168.106. The contract between a school district and a permanent teacher shall be known
2 as an indefinite contract and shall continue in effect for an indefinite period, subject only to:

3 (1) Compulsory or optional retirement when the teacher reaches the age of retirement
4 provided by law, or regulation established by the local board of education;

5 (2) Modification by a succeeding indefinite contract or contracts in the manner
6 hereinafter provided;

7 (3) The death of the teacher;

8 (4) Resignation of the teacher with the written consent of the school board;

9 (5) Termination by the board of education after a hearing as hereinafter provided; [and]

10 (6) The revocation of the teacher's certificate; **and**

11 **(7) Suspension for not attaining at least sixty percent of the maximum salary as**
12 **calculated under section 168.757 until reestablished as provided in section 168.111.**

168.108. 1. Every indefinite contract shall contain the following provisions in
2 substantially the following form:

3 "It is hereby agreed by and between, the teacher, and the Board of Education of
4 School District, the employer, that the teacher, beginning on the day of, 20..., shall
5 serve in the employ of the Board of Education and its successors for a term of months (the
6 number of school months of the school year in the school district) for an annual compensation
7 of \$, to be paid to the teacher in equal installments according to local school board
8 regulations less the contributions required by law."

9 ["It is further agreed by the parties hereto that this contract shall continue in force from
10 year to year, until modified or terminated in accordance with the provisions of sections 168.102
11 to 168.130, RSMo, and any amendments thereto prior to the date of this contract."]

12 2. Every indefinite contract shall be made by the order of the board of education, shall
13 be in writing and shall be signed by the permanent teacher and the president of the board of
14 education, or a facsimile signature of the president may be affixed at his direction, and the
15 contract shall be attested by the secretary of the board of education by signature or facsimile.

168.110. The board of education of a school district may modify an indefinite contract
2 annually on or before the fifteenth day of May in the following particulars:

3 (1) Determination of the date of beginning and length of the next school year;

4 (2) Fixing the amount of [annual] compensation for the following school year as
5 provided by the [salary schedule adopted by the board of education applicable to all teachers]
6 **calculation under section 168.757**. The modifications shall be effective at the beginning of the
7 next school year. All teachers affected by the modification shall be furnished written copies of
8 the modifications within thirty days after their adoption by the board of education.

168.111. In order to regain tenure, the school district shall require a teacher whose
2 **tenure is suspended under subdivision (7) of section 168.106 to achieve two consecutive**
3 **school years with a salary calculation of sixty percent or higher.**

168.755. For purposes of sections 168.755 to 168.763, the following terms mean:

2 (1) "Base salary", the salary of a teacher after the salary calculation is performed;

3 (2) "Compensation committee", a school district committee composed of five
4 members where possible, where two members are teachers, two members are principals
5 or other administrators, and one school board member; where the size of the district
6 prevents a five-member committee, the committee shall be composed of one teacher, one
7 administrator, and one school board member. The compensation committee shall decide
8 any question referred to it by a teacher or administrator relating to the correctness of the
9 salary computation under section 168.757;

10 (3) "Continuing or extended education", no fewer than thirty clock hours of post-
11 baccalaureate level instruction in credit-bearing courses or professional development that
12 is either district in-service or other continuing education sessions in other venues that are
13 approved by the school district;

14 (4) "District minimum pay for a starting teacher", the salary set by each school
15 district for a teacher certified under this chapter for a first-year bachelor's degree teaching
16 contract, set at any level at or above the level specified in section 163.172;

17 (5) "Extra duty", additional services provided outside the scope of a standard
18 teacher contract for the following purposes:

19 (a) Academics, which includes but is not limited to coaching students for improved
20 performance, enhanced education,
21 or enriched educational opportunities; advising career and technical education and
22 academic honor student organizations, such as but not limited to NLT, DECA, FFA, and
23 NHS; chairing a department, grade, or professional learning community; and any
24 district-defined academic duty;

25 (b) Activities, which includes but is not limited to, sponsor or advisor for a
26 district-approved extracurricular activity that is not subject to high school activity
27 association rules, such as, but not limited to student council, class sponsor, and other
28 student clubs;

29 (c) Sports, which includes but is not limited to a district-approved interscholastic
30 activity subject to high school activity association rules;

31 (6) "Major sport", an interscholastic competitive sport as defined by the district
32 in policy as requiring more of a district's resources in comparison to a minor sport;

33 (7) "Maximum salary", the highest salary on a school district's teacher salary
34 schedule that a district will pay at one hundred percent after salary calculation;

35 (8) "Perfect attendance", the presence of a teacher in the classroom or place of
36 instruction for one hundred percent of class hours scheduled and completed and one
37 hundred percent of all release day hours;

38 (9) "Salary calculation", the percentage derived as a result of the total of points
39 under section 168.757 which is then applied to the maximum salary;

40 (10) "Self-evaluation", a peer review undertaken by three to five colleagues selected
41 by a teacher from the teacher's department or educational scope, or professional learning
42 community, as defined by the district, as further described in section 168.763;

43 (11) "Specialized teaching", teaching that:

44 (a) Requires specialized training or is intended for specific student populations,
45 such as but not limited to, special education, speech pathology, advanced placement, college
46 preparatory, honors, a certificate of clinical confidence, national board certification,
47 Project Lead the Way, as determined by the district in policy; or

48 (b) Is in a subject area designated by the state board of education as a teacher
49 shortage area or in a subject area or school designated annually by the district as hard to
50 recruit for;

51 (12) "State minimum salary", the minimum bachelor's degree salary set in section
52 163.172;

53 **(13) "Years of service", a complete school year of service in an accredited school**
54 **district, on the basis of one percent for one year. A complete school year of service in**
55 **another accredited district shall count as a year of service.**

168.757. 1. Each school year, no later than school year 2016-17, the district shall
2 **perform a salary calculation as specified in subsection 2 of this section for each teacher.**
3 **The salary calculation shall constitute a percentage by which the maximum salary is**
4 **multiplied, and the resulting figure shall constitute the base salary of the teacher's contract**
5 **for the upcoming school year.**

6 **2. The salary calculation consists of the following elements and maximum**
7 **percentages, except as specified in subdivision (8) of this subsection:**

8 **(1) Level of education:**

9 **(a) Bachelor's degree plus fifteen hours of academic credit towards a master's**
10 **degree or certificate program: five percent;**

11 **(b) Master's degree: ten percent;**

12 **(c) Master's degree plus thirty hours of academic credit towards a doctorate or**
13 **certificate program: fifteen percent;**

14 **(d) Doctorate: twenty percent;**

15 **(2) Service:**

16 **(a) Years of service: twenty-five percent;**

17 **(b) Perfect attendance: three percent;**

18 **(3) Principal evaluation: twenty percent;**

19 **(4) Self-evaluation: five percent;**

20 **(5) Test results: ten percent, with additional percentage as specified in subsection**
21 **three of this section, if applicable;**

22 **(6) Specialized teaching: five percent;**

23 **(7) Continuing or extended education: five percent;**

24 **(8) Extra duties: ten percent. The following may be combined in any number or**
25 **combination of duties, not to exceed a total of ten percent:**

26 **(a) Academic: two percent;**

27 **(b) Activities: one percent;**

28 **(c) Sports: five percent:**

29 **a. Head of a major sport: five percent;**

30 **b. Head of a minor sport or assistant head of a major sport: four percent;**

31 **c. Assistant head of a minor sport: three percent.**

32 **3. Additional compensation under section 168.761 shall be awarded as follows:**

33 (1) If a teacher's class average score on any assessment approved by the district
34 attributable to the teacher shows at least fifty percent of the students made at least a thirty-
35 three percent increase in growth, an additional three percent shall be added to the salary
36 calculation;

37 (2) If a teacher's class average score on any assessment approved by the district
38 attributable to the teacher shows at least seventy-five percent of the students made at least
39 a thirty-three percent increase in growth, an additional five percent shall be added to the
40 salary calculation.

41 4. The district shall include an acceptance statement for each salary calculation that
42 states that the teacher by signing the statement agrees that the calculation is correct. If the
43 teacher contests the correctness of the calculation, the district shall refer the matter to the
44 compensation committee for resolution. Pending resolution of the matter referred, the
45 district shall offer and a teacher may sign a short-term contract pending resolution of the
46 matter.

168.759. 1. The school district's criteria for evaluation shall be available before the
2 school year in which they are to be used.

3 2. Each teacher who has not achieved tenure shall be evaluated three times a school
4 year, with a minimum of five calendar weeks between evaluations.

5 3. Each teacher with tenure shall be evaluated two times a school year, with a
6 minimum of five calendar weeks between evaluations.

7 4. At least once a year, as part of the evaluation required under subsections 2 and
8 3 of this section, a teacher shall be evaluated unannounced for at least thirty minutes. An
9 instance of interaction and observation of less than thirty minutes does not count as an
10 evaluation. Multiple instances of less than thirty minutes shall not be cumulated to reach
11 thirty minutes.

168.761. The district shall create and adopt a system of performance-based
2 compensation that includes the results of end-of-course assessments, state assessment
3 program assessments, where applicable, and district-level summative assessments
4 supported by pre and post-testing for the current school year that demonstrate growth in
5 student achievement.

168.763. The district shall develop the questions for the teacher self-evaluation and
2 shall provide a standard form to be returned sealed directly to the administrator
3 responsible for the review. The contents of the review shall not be disclosed in a manner
4 that allows the identification of a reviewer with any comment.

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