

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Bill No. 1928, Page 2, Section 161.1005, Line 23,
2 by inserting after all of said line and section the following:

3
4 "167.265. 1. A program to provide [guidance] school counselors in grades kindergarten
5 through nine is established. Any public elementary school, middle school, junior high school, or
6 combination of such schools, containing such grades which meet the criteria pursuant to this section
7 shall be eligible for a state financial supplement to employ a [guidance] school counselor.

8 Eligibility criteria are: the school shall have a minimum enrollment of one hundred twenty-five
9 pupils per school site, shall have a breakfast program, and shall serve at least forty percent of its
10 lunches to pupils who are eligible for free or reduced price meals according to federal guidelines.

11 2. A school district which contains such eligible schools may apply to the department of
12 elementary and secondary education for a state financial supplement to employ a [guidance] school
13 counselor in those schools named in the application and in no other schools of the district. The state
14 financial supplement shall not exceed ten thousand dollars per [guidance] school counselor. No
15 more than one [guidance] school counselor per school shall be supplemented by the state pursuant to
16 this section, except that a district may apply for an additional [guidance] school counselor if the
17 enrollment at the school equals four hundred or more pupils. [Guidance] School counselors thus
18 employed pursuant to this section shall at a minimum engage in direct counseling activities with the
19 pupils of the school during a portion of the school day which represents that portion of the
20 [guidance] school counselor's salary which is supplemented by the state pursuant to this section.

21 3. The state board of education shall promulgate rules and regulations for the
22 implementation of this section. Such rules shall include identifying any qualifications for
23 [guidance] school counselors which may be in addition to those promulgated pursuant to section
24 168.021, establishing application procedures for school districts, determining a method of awarding
25 state financial supplements in the event that the number of applications exceeds the amounts
26 appropriated therefor, and establishing an amount of state financial supplement per [guidance]
27 school counselor based upon the salary schedule of the district.

28 167.266. 1. Beginning with the 2016-17 school year, the board of education of a school
29 district or a charter school that is a local educational agency may establish an academic and career
30 counseling program in cooperation with parents and the local community that is in the best interest
31 of and meets the needs of students in the community. School districts and local educational
32 agencies may use the Missouri comprehensive guidance and counseling program as a resource for
33 the development of a district's or local educational agency's program. The department of
34 elementary and secondary education shall develop a process for recognition of a school district's
35 academic and career counseling program established in cooperation with parents and the local
36 community no later than January 1, 2017.

Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____

2. The state board of education shall promulgate rules and regulations for the implementation of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

168.303. The state board of education shall adopt rules to facilitate job-sharing positions for classroom teachers, as the term "job-sharing" is defined in this section. These rules shall provide that a classroom teacher in a job-sharing position shall receive paid legal holidays, annual vacation leave, sick leave, and personal leave on a pro rata basis. "Job-sharing position" shall mean any position:

- (1) Shared with one other employee;
- (2) Requiring employment of at least seventeen hours per week but not more than twenty hours per week on a regular basis; and
- (3) Requiring at least seventy percent of all time spent in classroom instruction as determined by the employer;

provided that, job-sharing position shall not include instructional support or school services positions including, but not limited to, [guidance] school counselor, media coordinator, psychologist, social worker, audiologist, speech and language pathologist, and nursing positions.

168.500. 1. For the purpose of providing career pay, which shall be a salary supplement, for public school teachers, which for the purpose of sections 168.500 to 168.515 shall include classroom teachers, librarians, [guidance] school counselors and certificated teachers who hold positions as school psychological examiners, parents as teachers educators, school psychologists, special education diagnosticians and speech pathologists, and are on the district salary schedule, there is hereby created and established a career advancement program which shall be known as the "Missouri Career Development and Teacher Excellence Plan", hereinafter known as the "career plan or program". Participation by local school districts in the career advancement program established under this section shall be voluntary. The career advancement program is a matching fund program. The general assembly may make an annual appropriation to the excellence in education fund established under section 160.268 for the purpose of providing the state's portion for the career advancement program. The "Career Ladder Forward Funding Fund" is hereby established in the state treasury. Beginning with fiscal year 1998 and until the career ladder forward funding fund is terminated pursuant to this subsection, the general assembly may appropriate funds to the career ladder forward funding fund. Notwithstanding the provisions of section 33.080 to the contrary, moneys in the fund shall not be transferred to the credit of the general revenue fund at the end of the biennium. All interest or other gain received from investment of moneys in the fund shall be credited to the fund. All funds deposited in the fund shall be maintained in the fund until such time as the balance in the fund at the end of the fiscal year is equal to or greater than the appropriation for the career ladder program for the following year, at which time all such revenues shall be used to fund, in advance, the career ladder program for such following year and the career ladder [forwarding] forward funding fund shall thereafter be terminated.

2. The department of elementary and secondary education, at the direction of the commissioner of education, shall study and develop model career plans which shall be made available to the local school districts. These state model career plans shall:

- (1) Contain three steps or stages of career advancement;

(2) Contain a detailed procedure for the admission of teachers to the career program;

(3) Contain specific criteria for career step qualifications and attainment. These criteria shall clearly describe the minimum number of professional responsibilities required of the teacher at each stage of the plan and shall include reference to classroom performance evaluations performed pursuant to section 168.128;

(4) Be consistent with the teacher certification process recommended by the Missouri advisory council of certification for educators and adopted by the department of elementary and secondary education;

(5) Provide that public school teachers in Missouri shall become eligible to apply for admission to the career plans adopted under sections 168.500 to 168.515 after five years of public school teaching in Missouri. All teachers seeking admission to any career plan shall, as a minimum, meet the requirements necessary to obtain the first renewable professional certificate as provided in section 168.021;

(6) Provide procedures for appealing decisions made under career plans established under sections 168.500 to 168.515.

3. The commissioner of education shall cause the department of elementary and secondary education to establish guidelines for all career plans established under this section, and criteria that must be met by any school district which seeks funding for its career plan.

4. A participating local school district may have the option of implementing a career plan developed by the department of elementary and secondary education or a local plan which has been developed with advice from teachers employed by the district and which has met with the approval of the department of elementary and secondary education. In approving local career plans, the department of elementary and secondary education may consider provisions in the plan of the local district for recognition of teacher mobility from one district to another within this state.

5. The career plans of local school districts shall not discriminate on the basis of race, sex, religion, national origin, color, creed, or age. Participation in the career plan of a local school district is optional, and any teacher who declines to participate shall not be penalized in any way.

6. In order to receive funds under this section, a school district which is not subject to section 162.920 must have a total levy for operating purposes which is in excess of the amount allowed in Section 11(b) of Article X of the Missouri Constitution; and a school district which is subject to section 162.920 must have a total levy for operating purposes which is equal to or in excess of twenty-five cents on each hundred dollars of assessed valuation.

7. The commissioner of education shall cause the department of elementary and secondary education to regard a speech pathologist who holds both a valid certificate of license to teach and a certificate of clinical competence to have fulfilled the standards required to be placed on stage III of the career program, provided that such speech pathologist has been employed by a public school in Missouri for at least five years and is approved for placement at such stage III by the local school district.

8. Beginning in fiscal year 2012, the state portion of career ladder payments shall only be made available to local school districts if the general assembly makes an appropriation for such program. Payments authorized under sections 168.500 to 168.515 shall only be made available in a year for which a state appropriation is made. Any state appropriation shall be made prospectively in relation to the year in which work under the program is performed.

9. Nothing in this section shall be construed to prohibit a local school district from funding the program for its teachers for work performed in years for which no state appropriation is made available.

168.520. 1. For the purpose of providing career pay, which shall be a salary supplement for teachers, librarians, [guidance] school counselors and certificated teachers who hold positions as

1 school psychological examiners, parents-as-teachers educators, school psychologists, special
 2 education diagnosticians or speech pathologists in Missouri schools for the severely disabled, the
 3 Missouri School for the Blind and the Missouri School for the Deaf, there is hereby established a
 4 career advancement program which shall become effective no later than September 1, 1986.
 5 Participation in the career advancement program by teachers shall be voluntary.

6 2. The department of elementary and secondary education with the recommendation of
 7 teachers from the state schools, shall develop a career plan. This state career plan shall include, but
 8 need not be limited to, the provisions of state model career plans as contained in subsection 2 of
 9 section 168.500.

10 3. After a teacher who is duly employed by a state school qualifies and is selected for
 11 participation in the state career plan established under this section, such a teacher shall not be denied
 12 the career pay authorized by such plan except as provided in subdivisions (1), (2), and (3) of section
 13 168.510.

14 4. Each teacher selected to participate in the career plan established under this section who
 15 meets the requirements of such plan shall receive a salary supplement as provided in subdivisions
 16 (1), (2), and (3) of subsection 1 of section 168.515.

17 5. The department of elementary and secondary education shall annually include within its
 18 budget request to the general assembly sufficient funds for the purpose of providing career pay as
 19 established under this section to those eligible teachers employed in Missouri schools for the
 20 severely disabled, the Missouri School for the Deaf, and the Missouri School for the Blind.

21 192.915. 1. To increase awareness of the risks associated with use of over-the-counter
 22 weight loss pills by persons under the age of eighteen, the department of health and senior services
 23 shall implement an education and awareness program. Such program shall provide accurate
 24 information regarding weight loss and the dangers of using over-the-counter weight loss pills by the
 25 teenage population without the consultation of a licensed physician. Such program shall focus on
 26 education and awareness programs for teenagers, parents, siblings and other family members of
 27 teenagers, teachers, [guidance] school counselors, superintendents and principals.

28 2. The department of health and senior services may use the following strategies for raising
 29 public awareness of the risks associated with use of over-the-counter weight loss pills by persons
 30 under the age of eighteen:

31 (1) An outreach campaign utilizing print, radio, and television public service
 32 announcements, advertisements, posters, and other materials;

33 (2) Community forums; and

34 (3) Health information and risk-factor assessment at public events.

35 3. The department of elementary and secondary education, in conjunction with the
 36 department of health and senior services, shall distribute information pursuant to this program.

37 4. The department may promulgate rules and regulations to implement the provisions of this
 38 section. No rule or portion of a rule promulgated pursuant to the authority of this section shall
 39 become effective unless it has been promulgated pursuant to chapter 536."; and
 40

41 Further amend said bill by amending the title, enacting clause, and intersectional references
 42 accordingly.